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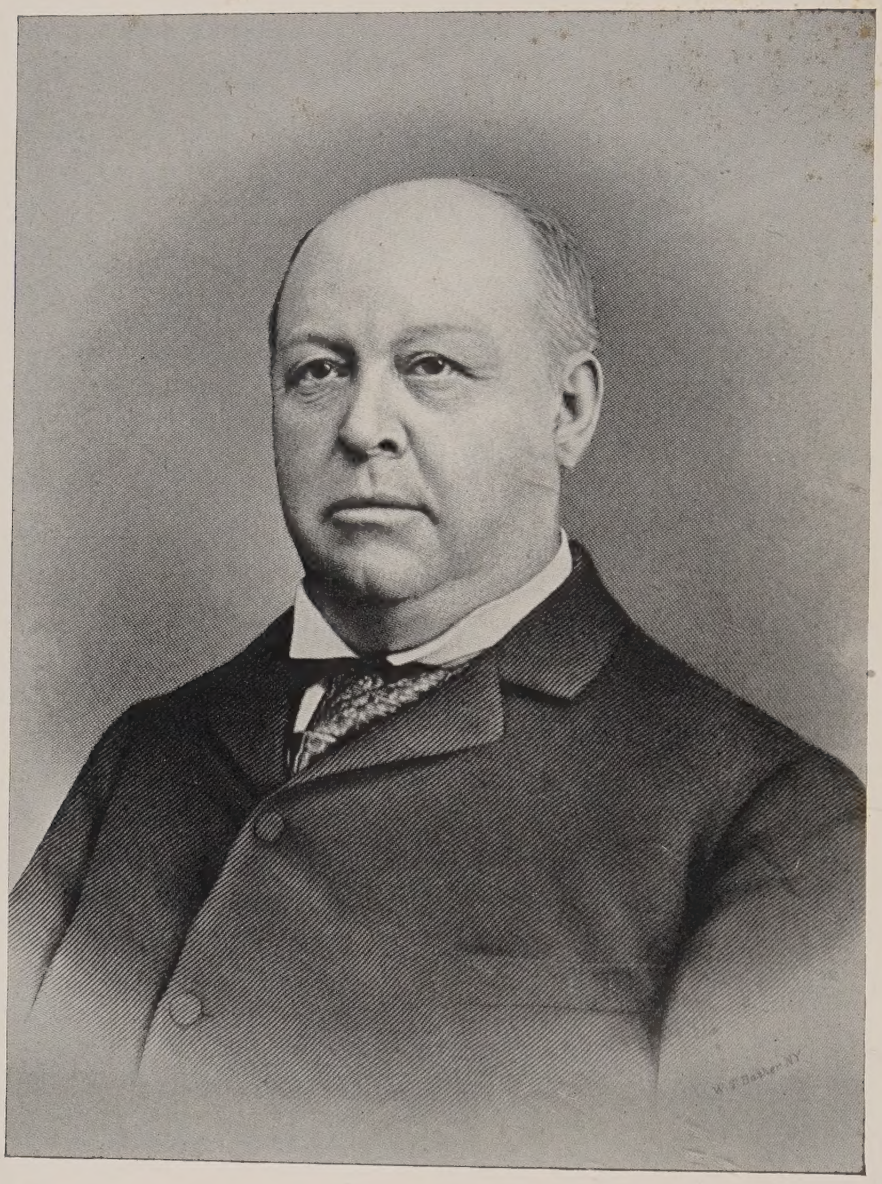

T. B. Reed

MAINE

A HISTORY

CENTENNIAL EDITION

Editor-in-Chief
LOUIS CLINTON HATCH, Ph.D.
Member of Maine Historical Society.
Author of "The Administration of the American Revolutionary Army"
Assisted by
MEMBERS OF MAINE HISTORICAL SOCIETY
AND OTHER WRITERS

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Chapter XII

WHIGS AND DEMOCRATS

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WHIGS AND DEMOCRATS

On March 4, William Henry Harrison was duly inaugurated President before crowds of Whigs who had come to rejoice in the triumph of their party, and, many of them, at least, to press their claims for office. But the hopes both of the new President and of his eager followers were quickly blasted. General Harrison died of pneumonia exactly a month after his inauguration, and John Tyler, a States-rights man of the strictest sort, succeeded him.

For the first time in the history of the country, a President had died in office, and there were various new questions to be solved, among them what honors should be paid to the memory of a deceased Chief Magistrate. Congress voted a solemn public funeral, and throughout the country bells were tolled, minute guns fired, and in some cases orations were delivered and sermons preached. The Democrats were in an embarrassing situation. Neither as gentlemen nor as shrewd politicians could they stand aside when the people offered their tribute of respect to the dead, yet they could not, without stultifying themselves, join in the Whig praises of the man they had so recently and so bitterly attacked. But the *Argus* succeeded in speaking of Harrison in a becoming way, and yet in maintaining full consistency. It said: *"May he rest in peace.* He has departed almost in the moment of his political triumph, and before the cares and anxieties of office had time to embitter his high destiny. He will be mourned by the whole country, for death sanctifies its victims, and while his virtues as a citizen and a man will be remembered, no one will wish now to cherish against him any recollection of what they may honestly regard as his political errors. *De mortuis nil nisi bonum."*

A fortnight later the *Argus* protested at what it regarded as an attempt of the Whigs to make political capital out of tributes paid to Harrison's memory. "We are willing," it said, "to go as far as any one in respecting the ashes of the deceased, but we must protest against loading him with praise for qualities, the absence of which we felt called upon to notice, during his life, and which we cannot now ascribe to his character, without reprobating our own course hitherto, and doing violence to our own opinions now. If it is proper for Democrats *now* to forget the political principles and acts which they opposed in the late President, and to let him rest in peace, as a good citizen who has been called to his fathers from a high office, it is surely proper, also, that his political friends should refrain from disturbing that peace by constant, excessive eulogy of his *political* character."

The Whigs, however, might be excused for praising Harrison, for his successor was a sore trial to them. Harrison had called an extra session of Congress, and Henry Clay now demanded the passage of numerous Whig

measures, including the chartering of a national bank. Tyler had been opposed to such a bank as unconstitutional and when the Legislature of his State instructed him to vote for one he had resigned rather than obey. Congress now passed a moderate bank bill which it was hoped that he might accept, but despite all the efforts of the Clay men the President vetoed it. Then a bill for a "fiscal corporation" was drawn, the President being consulted, and it was alleged that he had agreed to sign it, but Mr. Tyler finally vetoed this also. The Cabinet except Webster, the Secretary of State, then resigned in a body, hoping probably to so embarrass the President that he would cry for mercy, but Tyler was ready with a new Cabinet and refused to yield. The Whig Congressmen appointed a committee to prepare an address to the people. The committee recited the President's sins of omission and commission, declared that he had voluntarily separated himself from those who had elected him, and read him out of the party.

The Democrats in Maine, as in other States, were delighted. The *Argus* had called Tyler's message, when Congress assembled, "a mass of betweenity," but of the first veto it said that this was just what should have been expected if the President was a man of integrity and that "we recognize the finger of Providence in raising up and placing in the executive chair a man who has had the firmness to stand between the people and the great fraud contemplated by the conspirators who had obtained a majority in Congress."[1]

The Maine Whigs went into the gubernatorial campaign in the fall weakened by the internal quarrel of their party. The Maine Democrats also were not entirely harmonious, for they were disputing over the skin of the Whig bear, or coon, before they had killed him. Governor Kent had again removed many Democrats from office and these martyrs felt that their suffering should be compensated by immediate re-appointment if the Democrats won. But others who perhaps had not belonged to the office-holding faction held very different views and while condemning the political proscription practiced by the "Federalists" demanded a rigid adherence to the principle of rotation in office, and that the future appointing power "should be unshackled by the past condition of things," and under no obligation to reappoint men who had been removed.

Both Fairfield and Kent were nominated by their respective parties, with substantial unanimity. The Democrats declared that Kent sympathized with his "silver-gray," that is, old Federalist relatives, while Fairfield when only a boy had served on a privateer in the War of 1812 and asked, "Which will the *Sailors* choose? The Federalist Kent, or honest John Fairfield, the *sailor-boy?*"[2]

The Democrats circulated great numbers of pamphlets containing speeches of Benton, Levi Woodbury of New Hampshire, Secretary of the

[1] *Tri-Argus*, Aug. 20, 1841.
[2] *Tri-Argus*, Aug. 23, 1841.

Treasury under Van Buren, and others. The Whigs claimed that they resorted to less honorable means, spreading numerous false stories, such as that Maine public lands would be given away to other States, that the fishing bounties would be repealed unless Fairfield were elected, that such heavy duties would be laid on tea and salt that the people could not buy them, and that Kent was a Catholic.

The principal State issues were the apportionment of representatives and the appointments to the Supreme Court. The Whig Legislature had made the decennial apportionment of State Senators and Representatives, and the Democrats declared that it was unfair and unconstitutional and their State convention told the people in its platform, "If you would not have such Log Cabinism as robs the Laboring Classes of a Representative to give to a city of Monopolists and Speculators, vote for Fairfield." An amendment to the constitution had just been passed limiting the terms of judges to seven years. This vacated the seats of Chief Justice Weston and Associate Justice Nicholas Emery, and the Whigs put men of their own party in their places. The Democrats loudly protested against the alleged introduction of partisanship into judicial appointments. Governor Kent himself had wished to reappoint Chief Justice Weston, but the Council refused its assent.

The Liberty [anti-slavery] party appeared in Maine this year for the first time, and nominated for Governor, Jeremiah Curtis, of Calais. The *Argus* asserted that this was a Federalistic trick to prevent an election and give the choice to the Legislature, that in the large towns the leading Federalist Abolitionists avoided pledging themselves to vote for Curtis.[1] But the Kennebec *Journal* declared that Curtis was a loco-foco who had voted for Van Buren, that the Democrats planned, if there was no election, and they could succeed by stratagem in controlling the House, to name Fairfield and Curtis as the constitutional candidates, knowing that a Whig Senate would probably choose Fairfield "because Mr. Curtis is entirely unfit for such a station, having nothing to recommend him but his wealth, the most of which he acquired by selling rum." The Whig Calais *Advertiser,* however, seems to have feared Curtis, and yet hoped to make him useful. It said that there was no reason why Whig Abolitionists should prefer Curtis to Kent, but that the case was otherwise with the Democratic anti-slavery men, that they had nothing in common with Fairfield, and that if they would not vote a Whig ticket, they should support Curtis, who agreed with them both in regard to slavery and politics.

The hope of preventing an election by the people proved totally unfounded. Fairfield was elected, leading Kent by over 10,000 votes. The official returns gave Fairfield 47,354 votes, Kent 36,790, Curtis 1,662; there were 347 scattering. It was a great triumph for the Democrats, and the *Argus* did not fail to contrast 1840 with 1841, and to hail the latter year as

[1] *Tri-Argus,* Aug. 23, 1841.

the rainbow of promise after the flood. It said: "If, then, it was humiliating to see the hard cider party triumph last year, it is glorious now to see how baseless the fabric of their power, and the history of their success and downfall is one which the people will not fail to profit by. We shall have no more coon-skin campaigns in this country the present age. One will suffice for a generation."[1]

In the following year (1842) the Democrats again nominated Mr. Fairfield. He had declined to run, and it was intended to hold a State convention to choose a candidate, but such serious differences of opinion appeared in the discussion as to who this should be, that the leaders induced the Governor to stand again. There was an extra session of the Legislature called to consider the question of the northeastern boundary, and the Democratic members held a caucus, decided that there should be no convention, and nominated Fairfield. Mr. Kent refused another nomination, and a State convention nominated Edward Robinson, of Thomaston. Mr. Robinson was born November 25, 1796. His original occupation was that of a sailor and shipmaster. In 1831 he retired from the sea and became a merchant. In 1836 he was a member of the Maine Senate, and in 1838 a Representative in Congress, where he served one term. He died February 19, 1857.

The Democrats again praised Fairfield for his patriotism in the War of 1812. The Kennebec *Journal* answered: "The Governor went out in a privateer when a boy. He did not go like Captain Robinson, to earn an honest living by trade, but he went out to murder and rob peaceable and honest traders of their money and their goods. He went for plunder on the high seas. This might be a preliminary qualification for a loco-foco leader, but it is far from establishing a character as a sailor. Not succeeding in this kind of robbery, he went into trade in some small matters and failed in that. Then he took up the law, went to making writs, and got rich."[2]

The State issue which received the greatest attention in the campaign was one affecting not Maine, but Rhode Island. The constitution of Rhode Island confined the right of suffrage to landowners. Being unable to obtain a change in a legal way, a convention met, prepared a new constitution, and submitted it to the people. The persons arranging the affair reported that a majority of the adult males of the State had voted to accept it. They also alleged that a majority of the legal voters had ratified it. The new constitution was then treated as adopted, an election was held under it, and Thomas W. Dorr chosen Governor. He attempted to seize the capital, but the regular Governor was prepared to meet force by force, and Dorr fled from the State. The Dorrites were mainly Democrats, their opponents were chiefly Whigs, and in the discussion of the affair throughout the country party lines were often drawn. In Maine the Democrats had much to say of the sovereignty of the people. The Augusta *Age* quoted a statement from

[1] *Tri-Argus*, Oct. 15, 1841.

[2] Kennebec *Journal*, Aug. 26, 1842.

the Belfast *Republican-Journal,* giving extracts from the constitutions of fifteen States, declaring that the people had the right to change their government in any manner that seemed good to them. The Kennebec *Journal* answered that not one of these constitutions permitted it to be done in the Dorr manner. "So that the idea of changing their governments 'in such mode as they may select' is all an abstraction," a "glittering generality," as Rufus Choate said later of the Declaration of Independence. The Bangor *Whig* challenged the *Republican-Journal* to give a direct answer to the question, "Can the Constitution of the United States be altered by a majority of the people of the United States, in any manner they see fit?" The *Whig* said that, according to the theory of the Maine Legislature, any body of men could call meetings, the votes, too, might be counted by any body, and these men could proclaim themselves the chosen of the people and seize the government. It also pointed out that negroes were a part of the "people," and so were women and children.

Some attention was given to national issues, the tariff was mentioned, and also the disposal of the public lands. Clay and the Whigs had brought forward various measures for distributing the proceeds of the sales, with special grants of money or land to the States wherein the land sold was situated. The Democrats of Maine were inclined to oppose such bills, on the ground that the land was the property of all the States and should not be given away. The protectionists, however, even in the East, approved of distribution bills because they lessened the income of the government and so made a tariff more necessary. The Kennebec *Journal* said that if a long view were taken, distribution appeared a wise measure, that it would settle the question if anything could and give the old States their just share, which otherwise they would lose. "It will secure a great degree of steadiness and permanence in the tariff,[6] which is of more importance, if possible, than the rate of duties."

When election day came, the Whigs met a Waterloo. The Kennebec *Journal* said: "We have treated him (Robinson) scandalously. Where are the working men that they did not come forward to sustain him? Don't let us hear anything more against nominating lawyers for Governors. We shall not trouble ourselves about collecting election returns. They are not worth printing."[7] Today, however, even those of us who are straight-out Republicans, can read without excessive emotion that Fairfield received 40,855 votes, Robinson 26,745, Appleton (Liberty) 4,080, and "Mr. Scattering," 100.

President Tyler, who had left the Democrats and had been thrown out by the Whigs, was trying to build up a third party with the aid of patronage and the efforts of his "corporal's guard" of State Rights Virginians and

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[6]The amount received from the public lands fluctuated greatly and the custom duties were apt to vary inversely with the receipts from other sources.

[7]Kennebec *Journal,* Sept. 23, 1842.

Caleb Cushing. Mr. Webster had remained in the Cabinet when the other members resigned, and he had recently made a powerful speech in Faneuil Hall, urging conciliation and disapproving the action of the members of the late Cabinet and that of a Massachusetts Whig convention, which had declared the President no Whig. In Massachusetts the speech was not without influence, but in Maine it produced less effect. The Kennebec *Journal* said that the situation of foreign affairs justified Webster's remaining in the Cabinet, "but we do not think we can ever forgive him for saying that Bell, Ewing and Badger had no reason for withdrawing." A week later Mr. Severance admitted that Webster had made a good case for himself in his speech, but added that he ought not to expect Whigs to support Tyler. "If Mr. Webster chooses to attach himself to imbecility, treachery and infamy in the seat of power, let him do so, keep his own skirts as clean as he can, and do what good he can. What he does for his country under such circumstances will be a severe sacrifice to himself; but let him not ask the Whigs to kiss the rod which smites them or worship the ungrateful ingrate who has betrayed them to promote his own selfish ambition."[8]

Nor was the President successful in attracting the Democrats, notwithstanding his bank vetoes and his States-rights views. The *Argus* said in an editorial of March 4, 1842, that it did not complain of the removal of Democrats, and the appointment of Whigs, but that the whole country would oppose the building up of a Tyler faction by such means, and that it believed that never before had it been shamelessly avowed that appointments were made for personal advantage, irrespective of party claims.

The chief business transacted by the Legislature of 1843 was the election of a United States Senator. Mr. Williams had served with fidelity and credit. His taste and abilities, however, fitted him for the work of the bar rather than that of the Senate, and he determined to resign. The question of his successor was involved with that of the Democratic nomination for President. Governor Fairfield in his message had expounded Democratic doctrine and Van Buren wrote to him expressing his approval. In his reply the Governor gave an account of political conditions in Maine. He said:

"Preble, Parris,[9] Parks, *et id omne genus,* have long been endeavoring to make friends for Mr. Calhoun and to organize a party in his favor, and on assembling here this winter the Calhoun men seriously contemplated making a legislative nomination. On hearing this I deemed it my duty to go to work, not only to ascertain how we stood, but to make things stand right. The result is, that the project of nominating Mr. C. is abandoned, and I verily believe that three out of four of both branches of the Legislature are decidedly in favor of Mr. V. B. I refer of course to the *Democratic* members, and this *I believe* to be a fair representation of the democracy of

[8] Kennebec *Journal,* Sept. 30, Oct. 7, 1842.

[9] Not the ex-Governor, but Virgil Delphini Parris, a prominent member of the pro-slavery wing of the Democratic party.

the State, though the matter has been so little discussed that one cannot speak with entire confidence. Heretofore the friends of Mr. Calhoun have freely expressed their preference, while others have been silent. It will be so no longer. The bad policy of holding back is beginning to be perceived. We lost this State for Mr. Crawford by pursuing just such a policy, and will now endeavor to avoid the rock upon which we then split. Caution and good management, however, is necessary. Our differences must not be pushed so as to jeopard the great object of carrying the whole party for the nominee of a national convention. Hence I doubt whether our friends will attempt a legislative nomination."[10]

The Calhoun men, however, did not give up the struggle, but made desperate efforts to win. If their opponent may be believed they offered "appointments and other quasi-bribes" for votes. The House senatorial caucus showing by some preliminary ballottings that Fairfield had a large majority, twenty of the Parks men withdrew, and the Governor was nominated by a vote of 88 to 20. When the election was held in the House. Fairfield received 88 votes, there were four scattering, and the Whigs cast 40 votes for William Pitt Fessenden. The Senate voted unanimously for Fairfield.

Mr. Fairfield resigned the governorship on being elected to the Senate, and his office devolved upon Edward Kavanagh, of Newcastle, the president of the Maine Senate. Mr. Kavanagh was born in Nobleborough, Maine. His father, a wealthy merchant, was of Irish birth; his mother was an American. The young Kavanagh was educated in Boston, Canada, and various colleges in the United States. He studied law, but did not practice. On the death of the elder Kavanagh his son paid his debts from his own means, though not legally bound to do so. Mr. Kavanagh served in the State Senate and House, and for four years in the National House. In 1835 President Jackson appointed him chargé d'affaires at Lisbon, where he remained six years, negotiating an important treaty of commerce. In 1841 and 1842 he served again in the Maine Senate; in the latter year he was chosen president of that body and succeeded Governor Fairfield by constitutional provision. Willis says of Mr. Kavanagh: "He was a man of fine personal appearance, distinguished for natural politeness of manners, founded on the great benevolence of his disposition, which was constantly manifested." In religion Mr. Kavanagh was a Roman Catholic, and is the only member of that denomination who has been Governor of Maine.

Although the election of a Senator was the chief business transacted by the Legislature, it was by no means the only matter of importance considered. Many resolutions on national questions were introduced, discussed and finally passed, and the *Whig* quoted the suggestion of a "contemporary," "that as the time of the Legislature of this State has been taken up in discussing the bankrupt law, General Jackson's fine, West Point Academy, the Post Office Law, &c., Congress had better refer their business to the Legislature of Maine and adjourn."

[10]Fairfield to Van Buren, Jan. 28, 1843. Van Buren MSS.

The election of Governor Fairfield to the Senate not only rendered it necessary for the Democrats to find a new candidate for Governor, but made the choice more difficult than it would have been had Mr. Fairfield served out his term. It is probable that an agreement had been reached between the friends of Governor Fairfield and those of Hugh J. Anderson, of Belfast, that they should unite to send Fairfield to the Senate and make Anderson Governor. But it was customary to give the Governor several terms, and the friends of Mr. Kavanagh determined to press his claims. It might be alleged that he had never been elected by the people, that he was only acting governor, and that neither William D. Williamson, who had had the longest term of any acting governor in Maine, nor any other man who had held that office, had been nominated for a second term. To this it could be replied that Mr. Kavanagh was highly qualified for the position, and that Williamson had not sought a renomination, but had gone to Congress.

Fairfield wrote to Van Buren that he should resign and that Mr. Kavanagh would become acting governor. "This," he said, "may give him some advantage over Anderson, but I trust not much. Kavanagh's being a Catholic, having participated in the negotiation of the late treaty (the Ashburton treaty), which sacrificed a large part of Maine's boundary claims, and being in favor of Mr. Calhoun, will, I think, more than counterbalance the advantage which he can derive from his position as president of the Senate and acting governor."

Beaten on the senatorial question, the Calhoun men bent all their efforts to secure the nomination of Kavanagh. The State Convention met at Bangor in June. The Calhoun men had worked quietly and it is said that they had succeeded in getting many Calhoun delegates from Van Buren towns. They had also sent their ablest men to the convention, with William Pitt Preble at their head. The Van Buren men offered resolutions endorsing their candidate. Calhoun's supporters fought them most vigorously, threatening to defeat the nominee for Governor if they were passed. Albert G. Jewett, of Bangor, wrote to William L. Marcey, of New York, that a Portland delegate, brother-in-law of Levi Woodbury, attacked Van Buren in a manner "unworthy of a gentleman in a Federal caucus." But all the Calhoun efforts were in vain. The resolutions were adopted, and Mr. Anderson was nominated on the first ballot, receiving 162 votes against 124 for Mr. Kavanagh and 13 scattering.

Mr. Anderson was a self-made man, who had begun life as a grocer. He had held no important State office, but had served two years in Congress. His friends said that he had by private study acquired a knowledge of history and political economy, and was also acquainted with the lighter literature of the day, but that his distinguishing characteristic was general and accurate knowledge of *men and things*. As this phrase implied, Mr. Anderson was a skilled political manager; he had courteous and suave manners, and while in Congress he had been on terms of intimacy with Mr. Van

Buren. The *Whig* remarked that this was not strange, since the one was a miniature of the other. After his governorship he held the office of Commissioner of Customs from 1853 to 1858 and that of Sixth Auditor in the Treasury Department from 1866 to 1869. He died on May 31, 1881, at the age of eighty.

Now that Anderson had been nominated, every effort was made to placate the friends of Kavanagh. The *Age* said in a lengthy editorial, which was copied by the *Argus*, that Anderson had been in the field for a long time, while Kavanagh had only been brought forward since he was acting-governor,[11] and that the support he received under such circumstances was another proof, though perhaps an unnecessary one, of the regard in which he was held by the Democrats of Maine. The *Age* stated that it had reason to know that "Mr. Kavanagh in allowing his name to be used rather acquiesced in the wishes of his friends than indulged his own, and that he regards the result with pleasure and satisfaction."

The *Argus* copied an article from the *Christian Mirror* denying that Kavanagh had been defeated because he was a Catholic. The *Mirror* claimed that if this circumstance lost him some votes among the Protestants it gained him others. It stated that it had heard Baptists and Congregationalists express the hope that he would be nominated lest his defeat should be ascribed to his religious opinions, and that after the convention persons of the same denominations had regretted the result because of the prejudice the Whigs had attempted to excite among the Catholics.[12]

The "prejudice" was only partly removed by these assurances. A meeting of Irish Democrats at Augusta voted to oppose the regular nomination and appointed a committee to state the reasons for their action. The committee reported that a large number of the Kennebec voters did not approve the nomination, but felt that their interests and principles would be better preserved by the re-election of the present Governor, that Mr. Anderson would probably not receive the support of his own county and that it was a duty to secure the election of Mr. Kavanagh, a man free from cabals and of unspotted character. A convention was held in Waldo which declared for Kavanagh. Kavanagh himself withheld his approval from the movement in his favor. In reply to a letter from the Augusta committee, he said that he had repeatedly stated that he would "support Anderson with great pleasure." At the close of the campaign the *Argus* manifested an intention notwithstanding this statement to hold Kavanagh answerable for the bolting of his friends. It said: "No one who desires him to stand well with the party, for its future confidence, and honors, will vote for him *next Monday.*"[13]

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[11] This was not quite correct. Fairfield in his letter to Van Buren written in January said that Anderson and Kavanagh were rivals for the nomination; (and a correspondent of the *Argus* in a letter written the middle of February spoke of Anderson and Kavanagh as the two men having the best chance for the nomination).

[12] *Tri-Argus*, July 12, 1843.

[13] *Tri-Argus*, Aug. 28, 1843.

The Whigs renominated Edward Robinson, though not without opposition, Waldo presenting the name of William G. Crosby, an esteemed and highly cultivated citizen of Belfast. Robinson, however, was nominated on the first ballot by a vote of 710 to 141 for Crosby, and 24 scattering. The campaign, at least as far as the two leading parties were concerned, was a listless one. The *Argus* said that such indifference had not been seen for sixteen years. The Kennebec *Journal* declared that the Whigs were under the perfect command of General Apathy.

Election day showed a falling off even from the light vote of the previous year, of between 8,000 and 9,000 votes; the smaller parties or factions, however, made a good showing, and although Anderson led Robinson by over 11,000 votes, he came within less than 500 of failing of a majority, and hence of an election by the people. The official returns gave Anderson 32,029 votes, Robinson 20,973, Appleton (Liberty) 6,746, Kavanagh 3,221, scattering 170.

President Tyler continued his efforts to build up a party in Maine but with small success. The Democrats were willing to use him against their enemies, but would do nothing more. On April 21 the *Argus* said: "As Captain Tyler is *now* at work among the *Clay* Whig office-holders, we invite his attention to Maine, where scarcely a Democrat has been suffered to remain in office, and where we believe not one has received an appointment from his hands. The Officers (offices) in this State are generally held by his bitterest political opponents, the *Clay* Whigs." So keen was the feeling against Tyler that men of both parties were glad to avoid extending the usual social courtesies to the President. Mr. Tyler came to Boston, in June, 1843, to attend the ceremonies at the completion of Bunker Hill monument. The *Argus* wished Portland to invite the President to visit the city, and the office-holders made strenuous efforts to induce the municipal authorities to do so, but in vain. Apparently but one paper, the Bath *Enquirer,* seconded the *Argus*. The *Argus* cited this refusal, and with reason, as proof that the President had no party in Maine. Its own position it thus defined. "While we are a Democrat, and in favor of another for the next presidency, we are disposed to treat Mr. Tyler with the respect due to him as a high-minded Virginia gentleman, and the Chief Magistrate of the United States; and we regret that he has not been invited to visit our State. But so it is."

The Democratic State convention bluntly refused a Tyler alliance, though not committing itself as to action in the future. It resolved "That the principles and success of the Democratic party of the country will not be benefitted by any amalgamation of its members at this time with either the Tyler or Clay factions of the Whig party."

The Clay Whigs of Maine, who made up the great bulk of the party in the State, were ready not only to separate from but to insult the President. The Kennebec Whigs passed a resolution uniting the names of Arnold, Iscariot and Tyler (did they dare to imply that Tyler was worse

than Judas?) and reminding "John Tyler" "that the meed of a traitor is 'a life of blushing and a death of shame'!"

The Democrats of Maine made ready for the battle for the Presidency in 1844, forgetful for the most part of the differences of the preceding June. At first the defeated faction had been very sore and a few men had attempted to keep up the fight by declaring that Van Buren would proscribe his opponents, but they met with little success, and when Anderson became Governor he endeavored to distribute his appointments in such a manner as to show that opposition to Van Buren had not affected their party standing.

To an outsider it might have appeared that Van Buren's nomination was almost certain, but some politicians who feared that they would be neglected by him or who supported Cass or Buchanan, others who thought that Van Buren could not be elected, and very many Southerners who ardently desired the annexation of Texas, were quietly working for his defeat.

The question of annexation had now reached a critical stage. Texas had revolted from Mexico, had defeated the Mexican army at San Jacinto and captured President Santa Ana, and had been recognized as an independent nation by Jackson in 1837. Mexico could not subdue her, but Texas was also quite unable to take the offensive. It was reported that England was preparing to intervene and secure the recognition of Texas by Mexico, if Texas would promise to remain independent, and give England trade privileges. It was said that the abolition of slavery might also be made a condition. The South was naturally much excited. Tyler and Calhoun (who had been appointed Secretary of State) had negotiated a treaty of annexation with Texas and it was now awaiting ratification by the Senate. It was very doubtful, however, if the necessary two-thirds vote could be obtained.

A member of Congress from Mississippi, William H. Hammett, wrote to Van Buren, asking his opinion on the Texas question. Van Buren after some delay prepared a reply and sent it to his intimate friend and political ally, Senator Silas Wright, of New York. Wright consulted his messmates, among whom was Senator Fairfield, and Benton was then asked his opinion. All three highly approved the letter. It was taken to Hammett and then hurried to the office of the Washington *Globe* before he had time to read it, lest the all-important declaration should be too late for the next issue.

The letter pronounced against annexation mainly because it would not consist with the honor and high reputation of the United States to intervene between Mexico and Texas. But it also declared that should England attempt to control Texas the American people would interpose with great unanimity. Immediately on the publication of the letter, there was a tremendous outburst against Van Buren. The South alarmed for slavery, the West eager for expansion, were both strongly in favor of annexation, and politicians who wished to turn against Van Buren but who had been afraid

to do so, joyfully seized on the letter to Hammett as an excuse for desertion. A month after the appearance of the letter, the Democratic National Convention met. Only ten less than a majority of the delegates had been instructed for Van Buren. Unless these instructions were broken his vote was sure to exceed on the first ballot that of all other candidates taken together. To defeat him, it was moved that the requirement of a two-thirds vote to nominate, established by the convention of 1832, and continued by that of 1836, but not made part of its rules by the convention of 1840, be again adopted. Though it was perfectly clear that this would result in the defeat of Van Buren, the motion was carried. Among the ayes were the votes of sixteen delegates who had been instructed to support him. These men have been severely blamed for their action, but it may be urged in their defense that the letter to Hammett had changed the situation, and that in substance, though not in form, they represented their constituents. When the first ballot for a candidate for President was taken, Van Buren received 26 more than half the votes, on the second he obtained less than a majority, and during that day his vote steadily declined. The next day he made an unimportant rally on the first ballot, but on the second the New York delegation, fearing the nomination of Cass, withdrew Van Buren's name and threw their votes for James K. Polk, of Tennessee, who was unanimously nominated.

Silas Wright was nominated for Vice-President, but refused to accept. The convention then seemed to be turning to Senator Fairfield, of Maine. On the ballot following the declination of Wright, he received 107 votes, his nearest competitor, Levi Woodbury, of New Hampshire, obtaining only 44, but a question was raised as to Fairfield's orthodoxy in the matter of Texas, a Georgia delegate told the convention that when Governor of Maine he had refused to surrender a captain and mate whose extradition had been demanded by Georgia for "slave-stealing," that is, carrying away negroes on their vessels, and Fairfield was dropped. On the next ballot he received only 30 votes, while George M. Dallas, of Pennsylvania, was given 260 votes and was nominated.

Polk had been chairman of the Committee of Ways and Means and Speaker of the National House; Dallas had served part of a term in the United States Senate and had been Minister to Russia, but neither of them was well known to the country, a circumstance of which the Whigs did not fail to take advantage in the ensuing campaign. Their candidate was certainly well known, both as a statesman and an aspirant for the presidency. After their experience with Tyler, the Whigs had no further wish for availabilities and half-and-half men, and their convention nominated Henry Clay unanimously and enthusiastically. For Vice-President they nominated Theodore Frelinghuysen, of New Jersey, a man whose Puritan nature would make him very acceptable to New England.

Clay had already stated that he was opposed to the annexation of Texas,

because it would injure the reputation of the United States, involve the country in war with Mexico and provoke serious dissension at home. He argued that annexation would be injurious to the South because the North would then demand Canada, and that the United States would be better off with Texas and Canada independent republics than it would if these extensive territories were incorporated into the Union. The convention made no reference to Texas or Oregon.

In Maine the decisions of the conventions were well received by the respective parties. Before the Democratic convention met, the *Argus* had endorsed Van Buren's letter, but had made it as pro-annexation as possible. It said: "We consider the tone and argument of the letter decidedly friendly to the annexation, whenever it can be done, without injustice to Mexico, and in accordance with the wishes of the American people, and the people of Texas." The *Argus* claimed that Clay opposed annexation because the Boston *Atlas* and other rabid Whig prints, in order to win part of the abolition votes, had declared that they would oppose any man who did not come out flat-footed against it. It said that the "Federalists" were against annexation under any circumstances, and that Clay was driven to take his present stand in order to retain their support. "His recent definition of his position contrasts to great disadvantage with the full, clear, and straight-forward, manly and independent letter of Mr. Van Buren."

A few days later the *Argus* said that the annexationists of Maine heartily responded to Van Buren's views and that no one opposed to them could get the vote of the State. On May 13 it declared that the open opposition to Van Buren in Maine silenced by the choice of the delegates to the convention had been revived by the Texas letter which had enlisted a few recruits. "This new explosion will be a *nine days' wonder,* and no more." After the convention had repudiated Van Buren and his policy, the *Argus* had little to say about Texas. It quoted a long article from the *Democratic Review,* asserting that the slaves in the United States would be sent to Texas and then to Central America, and that the country would thus finally be rid of slavery. It also declared that Texas was not a party question, and even claimed that Polk was not opposed to the doctrines of the Hammett letter, nor in favor of immediate annexation!

The *Argus* had earnestly supported Mr. Van Buren, but when another was chosen to lead the party, the paper, with its customary loyalty, followed the new standard-bearer. "The nominations are now made," it said, "and we must sacrifice all private feelings and wishes on the altar of our country." It gave the same reason for the Van Buren men in the convention finally deserting him that one of their leaders did, in writing to Van Buren himself, had they not done so there was great danger of the nomination of Cass. It also said that Polk had been nominated for the sake of harmony and in order to defeat the Whigs.

The Whigs of Maine were embarrassed by no surprises or changes that

might be hard to defend. The nomination of Clay had long been a foregone conclusion, and while Maine, like other States of New England, might have preferred John Davis, of Massachusetts, for Vice-President, Frelinghuysen was a New Englander by character, if not by birth. The Bangor *Whig* had said the year before that if the West had the President, the East should have the Vice-President, and that Davis should be the man. But it now declared that the nomination of Frelinghuysen, though not expected, was received in "this city and vicinity, with enthusiastic delight."

Each party was very uncomplimentary in speaking of the candidate of its opponents. In the previous year, the *Argus* had said of Clay: "The man whose hands are still red with the blood of Hon. Jonathan Cilley, a distinguished and murdered citizen,"[1] and whose political principles would plunder her *agriculture* and *commerce* for the benefit of a few *mercenary* and private speculators, can *never, under any circumstances,* receive the vote of Maine for the presidency." After the Whig nominations were made, the *Argus* said: "Mr. Frelinghuysen is a man of moderate talents, far inferior to either John Sargent or John Davis (who had been candidates for the nomination for Vice-President). He is of an irreproachable moral character, and in this respect there is a very strong contrast between him and Mr. Clay. Mr. Frelinghuysen was the head of the party that undertook about fifteen years ago, to stop the Sunday mails, and travelling on the Sabbath. He is an enemy to *gambling, lasciviousness, horse-racing,* and *duelling.*" All of which were charged against Clay. The *Argus* pointed out that Clay had taken the oath as a United States Senator before he was thirty, the minimum age required by the Constitution for holders of that office, and that in 1841, when he was over sixty, he had, as a result of a quarrel with Senator King of Alabama, been put under bonds to keep the peace.

Sergeant S. Prentiss revisited his old home during the campaign and made a powerful speech advocating the election of Clay. In reply the *Argus* attacked Prentiss personally, saying: "He departed from the stern principles of New England morality, and among other errors became a duellist, and shot and wounded his man badly, though not mortally." It is said that the Democrats sent men throughout the State to urge religious people not to vote for a man for President whom they could not vote to admit to church membership.

Polk was a church member, and his private life offered small opportunity for attack, but, like Dallas, his public career had not given him a national reputation, and when pitted against Henry Clay he seemed, to the Whigs at least, like a dwarf claiming equality with a giant. The Portland *Advertiser* said: "Three-fifths of the 'Democratic' voters of this

[1] Clay, like the other representatives of Kentucky in Washington, had been consulted by Wise, he had drawn the challenge in its final form, somewhat moderating the draft before him, and he had advised the acceptance of Cilley's choice of weapons and manner of fighting, saying that no Kentuckian could back out from a rifle.

State will ask in perfect ignorance, 'Who is this Mr. Polk? and five-sixths of them if not more will demand, Who is this Mr. Dallas'?" The Bangor *Whig* said: "Against such men as Polk and Dallas the Whigs can walk over the course in triumph." The Whig State convention called Polk and Dallas great politicians on a small scale and declared that their nomination was "a compromise without conciliation, and a union without harmony."

Here as in New York and other States, the "Liberty" men refused to vote for Clay notwithstanding his opposition to the annexation of Texas. General Fessenden, one of the leading anti-slavery men in Maine, published a letter stating that neither he nor General Appleton (the Liberty candidate for Governor in this and the preceding year) would support Clay, and that he was firmly convinced that Clay had done more than any other man in the United States to extend slavery, by securing the passage of the Missouri Compromise, and that his present opposition to annexation was for selfish political purposes, "nor," said General Fessenden, "can I feel any assurance that he will not sacrifice on the altar of slavery every principle of the Whig party, with as much facility, and as little reluctance, as he did the interests of the North by the Compromise Tariff of 1832[3]" Another insuperable objection to Clay, in General Fessenden's opinion, was that he was a duellist.

The reference to Clay's alleged betrayal of the manufacturing interests sounds strangely now when the protectionists regard him as their hero and defender, but he was, in fact, more moderate on the tariff question than such men as Lawrence of Massachusetts and Clayton of Delaware. Clay had recently made what was, perhaps, the least "protective" of all his tariff speeches. Addressing a great meeting at Augusta, Georgia, he had declared that his policy was to avoid ultraism. A Georgia paper, in summarizing the speech, said that Mr. Clay "dwelt in detail upon the advantage of a revenue tariff, with incidental *protection* as contrasted with the miscalled system of free trade." The *Argus* asked the Portland *Advertiser,* Kennebec *Journal* and Bangor *Whig and Courier,* how they liked "Mr. Clay's *incidental,* horizontal protection. Speak out, neighbors, and let your opinions on the subject be known."

If Clay's views of the tariff appeared to change some with the latitude in which his speeches were delivered, the Democratic trumpet also gave forth an uncertain note. Polk wrote a famous letter to John G. Kane of Pennsylvania, in which he stated that he had voted for duties giving a moderate, incidental protection, and the *Argus* claimed that there was little difference between the views of Polk on the tariff and those of Clay. It also said that the Democrats did not intend to repeal the existing tariff, that of 1842, but only to modify it and remove inequalities. Usually, however, the Maine Democrats took ground against the tariff. The York county Democratic convention resolved that the compromise tariff of 1833 ought never to have been repealed. The Democrats had much to say of the duties

on iron and sugar, declaring that the interests of Maine were sacrificed to those of Pennsylvania and Louisiana, and this argument proved very effective.

Each side made special appeals to the Catholics. The Democrats accused Mr. Frelinghuysen of active opposition to them. Some very serious anti-Catholic riots had recently occurred in Philadelphia, and the Democratic papers laid the blame on the Whigs. The Whigs denied the charges, pointed to the refusal of the Democrats the preceding year to renominate Governor Kavanagh, and twitted their opponents with the fact that New Hampshire, the most reliable "loco-foco" State in the Union, forbade the election of any Catholic to the office of Governor, Councillor or Representative.

Both parties obtained the services of out-of-the-State speakers. As has been said above, Sergeant S. Prentiss addressed the Whigs of Portland. For the Democrats, Levi Woodbury spoke at Bangor on the Fourth of July, attacking the tariff. Benjamin Hallett of Massachusetts spoke at the same place. He discussed the tariff in a rather ambiguous way, brought up the case of "Governor" Dorr of Rhode Island who had returned to that State and had been sent to prison for life, and urged his hearers not to vote for a duellist for President.

Anderson, Robinson and Appleton were the candidates for Governor of the Democratic, Whig and Liberty parties, as in the preceding year, but the question of the Presidency displaced all others. The *Argus* declared that State issues were scarcely mentioned in the canvass. The Whigs had no hope of electing Robinson but some of them thought that they might prevent a choice by the people. Election day proved, however, that they had been over-confident. The official returns gave Anderson 48,942 votes, Robinson 38,501, Appleton 6,245, and there were 165 scattering. The Whig Central Committee sent a circular to their friends in the other States, in which they admitted their disappointment, particularly in the falling off of the Whig vote from that of 1840. They said that they had relied too much on meetings and arguments and not enough on organization to get out the voters, and that the success of their opponents was due to their calumnies against Clay and to their fostering the prejudices of the poor against the rich, that only since the election had they learned the extent of the influence brought to bear to poison the minds of the laborers against the tariff doctrines of the Whigs. They then gave some frank advice which in principle anticipated Dudley's circular of 1888 demanding that the fat be fried out of the protected manufacturers. They said: "If in any degree the result of our election has disappointed any of our friends abroad, we can only hope that our *experience* and *observation* of the *mode* and *manner* of conducting the campaign by our opponents, may enable them to avoid our errors, and to redouble their diligence, to secure the great, the vital point, a perfect, systematic and *detailed* organization, by which it shall be rendered certain

that every voter will be at the polls. We would especially hope that the *business men* who are *most directly and deeply* interested in the success and permanency of *Whig principles,* will in each State enter into the contest with the *spirit, activity* and *personal* effort for which they were distinguished in 1840."

Between the election of Governor and that of President, the Maine Whigs had the pleasure of witnessing a very pretty little quarrel among their opponents. In October the President removed the United States Marshal for Maine and one of the chief officers in the Portland custom house, and appointed in their places two of the most rabid Calhounists in the State, Virgil D. Parris and Benjamin Kingsbury. The *Argus* was extremely angry. It declared that the Calhounists who had any influence in Maine were opposed to the appointments and that they were made "against the *known* opposition of all the active and best Democrats in the State."

The Hickory Club of Portland sharply censured those who deserted the ranks to plunder the dying, and resolved that "we view with disgust and sorrow every premature and clandestine attempt to grab the offices of the government against the will of the people; and that, as Democrats we censure and condemn all such proceedings."

The Bangor *Whig* exhorted its friends to stand firm, saying that if they could not carry the State they might prevent a choice by the people and so compel the Governor to summon the Legislature.[15] But these hopes proved vain. Polk carried Maine, his electors leading those of Clay by 11,000 votes. He also carried New York, which gave him a good majority in the electoral college. The result in New York was for some time in doubt and when it was at last clear that the State had gone Democratic, the disappointment of the Whigs was bitter in the extreme. They claimed the defeat was due to the slanders and frauds of their opponents, the Liberty party, and foreign vote. The Bangor *Whig* declared that "The doctrine of protection must now apply to Americans themselves as well as their industry." A letter to the paper asserted that the despots of Europe were pouring their most vicious subjects on our shores in order to destroy the Whig party and our liberties. It almost shook the faith of the Whigs in America and republicanism to have the people prefer a Polk to a Clay. Where Henry Clay had failed, who could succeed? But the Portland *Advertiser,* though it doubtless mourned, yet mourned as one not without hope, and it seems to have instantly decided that Clay's work was done. It called on the Whigs to "stand firm to our principles. Let no fear for our future leader weaken our present resolve. Providence will give another

[15] A law passed that year required an absolute majority for the choice of electors. Should this not be attained, Maine would lose her voice in the Electoral College unless a new law were passed at a special session of the Legislature. This year also an amendment to the Constitution made the political year begin on the second Wednesday in May, and the officers then elected were to serve until the second Wednesday in May, 1846.

leader whose wisdom and patriotism will yet establish our country's good."

The election of Polk, although regarded as a decision of the people in favor of the annexation of Texas[16] had of itself no legal effect in the matter and a vigorous effort was made even now to defeat Tyler's treaty by inducing more than one-third of the Senate to remain firm against ratification. The attempt promised to be successful and the Democrats then decided to annex Texas by a joint resolution of both Houses of Congress. Such a resolution was put through the House of Representatives. Only one Maine Representative, Shepherd Cary, voted for the resolution; a second, William D. McCrate, did not vote at all. Both Cary and McCrate were Democrats. Mr. Cary came from Aroostook, where the pro-slavery Democrats were very strong. Indeed, there were so many of them in that sparsely settled region that the whole faction were popularly known as Wild Cats. The other Maine Representatives, Morse and Severance (Whigs), and Dunlap, Hamlin, Herrick and White (Democrats), voted nay. Hannibal Hamlin made an elaborate speech against the resolutions and was one of the most active of their opponents. He was therefore roundly denounced by the pro-slavery men. The Senate passed the resolution with an amendment authorizing the President to proceed by negotiation if he deemed it best to do so, and the House accepted the change. Mr. Tyler, however, declined to avail himself of the alternative, and hurried off a messenger to Texas with the annexation resolutions, which were duly accepted by the young Republic.

The leading Democratic papers of Maine were at least lukewarm on the annexation question. The editor of the *Argus* said that he did not know how he should have voted but that the attacks on Hamlin and his companions deserved the deepest contempt.

The Texas resolutions provided that Texas might later be divided into not more than five States, and that slavery should be excluded from any State formed north of 36° 30′. The Augusta *Age* said that it would prefer a line farther south, which had been proposed by Heywood of Tennessee, that would give more territory to freedom and yet leave sufficient space to drain off the negroes. The North, it claimed, had a right to expect a substantially equal division. The *Argus* declared that in the House Texas bill "the yielding was wholly on the side of the North, the South giving up nothing." When, however, annexation had been accomplished, the *Argus* rejoiced that the question had at last been put to rest, though not on just such terms as it could have wished, and with an eye to anti-slavery votes pointed out the aid that Whigs had given in securing Texas.

While the struggle was going on, annexation meetings were held in Augusta, Bangor, Brunswick and Thomaston. At the Bangor meeting two sets of resolutions were submitted—one presented by Albert G. Jewett stated

[16]Prof. Justin H. Smith in his elaborate work on the subject shows that the issue was not as clear-cut as is sometimes supposed.

that a difference of opinion was permissible; the other, offered by Colonel Parks, declared that Maine had pronounced in favor of the annexation of Texas and requested Senator Fairfield to vote for her admission into the Union.

At Thomaston the meeting approved the action of Carey, and censured that of their own Representative, Morse, who like the other Whig member, Severance, of Augusta, had voted against the annexation resolutions.

The opponents of annexation seem to have been less active; those who were Whigs may have felt that the Democratic Representatives would hardly be strengthened in their resistance to party pressure by praise from opponents. A letter, approving Hamlin's course was, however, sent to Fairfield from Bangor and the *Whig* claimed that the number of signatures exceeded that of the legal voters at the Democratic indignation meeting. There was a great annexation celebration at Augusta, a free collation was provided, trumpets were blown, drums beaten, cannon fired, and the State House illuminated. Perhaps the Democrats would have declared that the town also was blazing with lights, but the Whig Kennebec *Journal* asserted that only seven houses gave these signs of joy. Later a supper was given to Cary as a testimonial of approbation of his conduct.

Maine was particularly interested this year in the formation of the cabinet since the friends of Senator Fairfield were urging his appointment as Secretary of the Navy. The *Argus* said that had Anderson been defeated in September Clay would have been elected. (There was probably more ground for this assertion than might appear at first sight. Polk had only small majorities in New York and in other States that he carried, and the capture by the Whigs of the usually Democratic State of Maine would have produced a great effect.) Had the Whigs won, Evans would have been given a Cabinet place. Maine had never had a seat in the Cabinet. The Maine Democrats now asked what was a mere matter of justice and what would no doubt be cheerfully conceded to them, but, added the loyal *Argus*, "should it be denied this will not disturb their temper or cause them to relax in their efforts for the common good."

It may be that this editorial was written to prepare the party for disappointment. Fairfield had been re-elected to the Senate and had no special desire for the secretaryship, and Governor Anderson had written to George Bancroft, now chiefly known for his elaborate history of the United States but then a leader of the Massachusetts Democracy, that Fairfield's friends proposed to withdraw his name and that he wished Bancroft himself to enter the race. Bancroft did so and won the position, being appointed Secretary of the Navy by Mr. Polk, who had even considered him for the Secretaryship of the Treasury.

Before the expiration of Mr. Polk's term, however, Maine obtained a Cabinet place. In September, 1846, Mr. Bancroft resigned the Secretaryship of the Navy to become Minister to England, and was succeeded by Attorney-

General Mason. President Polk felt that as New England was no longer represented in the Cabinet, a New Englander should be appointed Attorney-General, and offered the place to Franklin Pierce of New Hampshire, who declined. Senators Bradbury and Fairfield of Maine, Judge Rice and some other gentlemen, urged the appointment of Nathan Clifford. Mr. Polk then took the advice of his Cabinet. He says in his diary:

"I informed them that the Hon. Nathan Clifford of Maine had been recommended to me, but that I had very little knowledge of him and did not know his qualifications as a lawyer, and added that I did not desire to bring any one into the Cabinet who would be exceptionable to any of its members, as I desired to preserve the harmony which had hitherto prevailed in our councils. All the members present expressed their entire satisfaction with Mr. Clifford, but none of them were able to inform me what his legal attainments were. They knew him to be a man of talents and to stand high in Maine, but they had not sufficient knowledge of him as a lawyer to speak with confidence. At my request the Secretary of the Treasury agreed to consult Judge Parris of Maine confidentially (the 2nd Comptroller of the Treasury) as to Mr. Clifford's standing in Maine as (and?) especially as to his legal attainments. The Cabinet adjourned & in about an hour the Secretary of the Treasury returned and informed me that he had seen Judge Parris, who informed him that Mr. Clifford was a man of very high standing; that he had filled the office of attorney Gen'l under the State Government of Maine for several years, and that his attainments as a lawyer were respectable. I sent for Mr. Appleton of Maine (ch. Clk. in the Navy Department) and consulted him confidentially as to Mr. Clifford & his legal attainments. He gave me about the same account of him which Judge Parris had given to the Secretary of the Treasury."[17]

A lawyer of whom it could only be said that his attainments were respectable, would hardly seem qualified for the position of Attorney-General of the United States but Mr. Polk offered and Mr. Clifford accepted the position. Mr. Clifford later became doubtful as to his fitness for the office. Mr. Polk describes the interview in his diary and says:

"I understood distinctly, however, from his conversation, that he had some apprehensions that, having come into the office but a short time before the meeting of the Court, he might not be able to sustain himself reputably. It seemed to be diffidence in his own capacity, which had induced him to think of resigning. I told him if he resigned now it would be assumed by his political opponents that he was not qualified, & that it would ruin him as a public man. In the course of the conversation he dropped a remark to the effect that perhaps I had some other person in my mind who could perform the duties better than he could. I told him I had not, and that if he were to resign it would greatly embarrass me. I think Mr. Clifford an honest man and a sincere friend. He feels in his new position somewhat timid, fears that he will not be able to sustain the reputation of his predecessors, and had therefore brought himself to the conclusion that he had better resign. He finally concluded not to tender his resignation, and retired apparently well satisfied at the interview I held with him."[18]

[17]Polk, Diary, II, 159-160, Sept. 20, 1846.
[18]Polk, Diary, II, 274-275, Dec. 13, 1846.

In March, 1848, Mr. Clifford was appointed joint commissioner to ratify the treaty with Mexico, and subsequently made Minister to that country. He resigned in 1849 and settled in Portland, devoting himself to law and politics.

Several gentlemen were considered for the vacant Attorney-Generalship. Two of them were from Maine,—Judge Shepley and John Anderson. It is probable that Judge Shepley would have refused the office, as he had declined to permit his appointment as Attorney-General to be suggested to President Van Buren in 1838. The proposal came from Silas Wright, and it is therefore probable that it was made with Mr. Van Buren's knowledge and approval. Mr. Anderson would probably have accepted. He had served in Congress from 1825 to 1833, and was then Collector of Customs at Portland. But the appointment finally went to ex-Governor Toucey of Connecticut.

The campaign for Governor in 1845 was a quiet one, and the vote was considerably lighter than in the preceding year. The Whigs chose as their leader Freeman H. Morse of Bath. Mr. Morse was a mechanic who devoted much of his time to politics, and had considerable reputation as a speaker. He had served one term in the national House. Sixteen years later he was to serve again, and President Lincoln then gave him the very lucrative appointment of Consul-General at London. He was reappointed by President Johnson and again by President Grant, although it is said that all but one of the Representatives and Senators from Maine were opposed to the second renomination. Indeed, it was unusual for so minor a politician to hold such a desirable office for twelve years.

Governor Anderson was re-elected, receiving 34,711 votes against 26,341 given to Morse. Samuel Fessenden, the candidate of the Liberty party, obtained 5,687 votes and there were 486 scattering.

The annexation of Texas and Polk's pressing of her doubtful boundary claims involved the country in the following year in a war with Mexico. The Whigs had opposed the war in Congress. They declared that it was brought on by the Executive in violation of the spirit of the Constitution and the principles of justice. In Maine, the Bangor *Whig* pointed out the danger to our commerce from "piratical monsters," that is, from European vessels to whom Mexico would grant letters of marque and call them Mexican vessels, even if they never had touched at a Mexican port; but the *Whig* added: "No matter though it (the war) be brought upon us by the vanity or wickedness of the executive, war having come, every man must stand firmly by the country." But the Kennebec *Journal* said a year later:

"Glorious Victories. We cannot say that we feel either pride or a disposition to rejoice in victories gained over the Mexicans. They are fighting in defense of their country. What are we to gain by victories if we win them? He must be a very thoughtless or very heartless man, who delights to hear that our troops have killed three or four thousand Mexicans, at whatever loss to themselves. On the contrary, we should look upon

it with sorrow and shame, feeling much as we would to hear that a favorite son had succeeded in murdering a traveller on the highway, stripping off his watch and purse. The morality of the two acts are about on a par."

The *Argus* made the comment, "The above is undiluted New England Federalism, of the Hartford Convention stamp. We are not surprised at it—but merely put it on record for future reference."

Though a majority of the Maine Democrats may have approved the war in words, there were few who were ready to fight. Governor Anderson issued a proclamation calling for volunteers, but it produced little effect. In a message to the Legislature he said that "The Bangor City Greys have promptly tendered their services and various individuals have asked authority to recruit. With these exceptions, the indications have not been as favorable as could be desired, and considering the remoteness of our position from the theatre of active operations, that the call is made at a season of the year when all classes of our fellow-citizens are actively engaged in their various avocations, it may be doubted whether some additional inducement will not be needed to command the immediate services of those, whose patriotic feelings, would otherwise impel them at this juncture to engage in the military service of the country." But no bounty was offered and no regiment was raised.

In 1846, Governor Anderson was serving his third term, custom limited the service of the Governor to three years and the Democrats were therefore obliged to seek a new candidate. Thy chose John W. Dana of Fryeburg, a son of ex-Judge and Senator Judah Dana.

Mr. Dana was a man of sincerity and frankness, a friend of temperance, though not of prohibition, and known "for his gentlemanly bearing, the courtesy of his manners and generosity of his feelings." He had always been a consistent Democrat, had served in both branches of the State Legislature, and had been President of the Senate. On the slavery question he belonged to the conservative wing of the party but was not a violent Wild Cat like Shepherd Cary. He was very popular. The *Argus* declared that he would receive the warm and enthusiastic support of every Republican,[19] and that he resembled Lincoln and Kavanagh more than any one living. The Bangor *Democrat* predicted that "the people will set him down to be more like Lincoln than any Governor we have had since his day." His urbanity and popularity were probably the chief reasons for his nomination; it was believed that he would unite factions and conciliate waverers. Some of the Whigs sneered at him, spoke of his lack of experience in national affairs and inquired, "Who is this Mr. Dana?" The *Argus* replied that the Whig candidate had served but one term in Congress when he had been set aside for Mr. Severance, and reminded his opponents that two years before they had been asking, "Who is this Mr. Polk?"

Had the Whigs acted according to precedent, they would have given

[19]The Democrats at times still used the old name.

Morse an uncontested renomination, but shortly before the meeting of the Whig State convention, he declined being a candidate. If the *Argus* may be believed there had been difference of opinion among the Whigs in regard to the choice of a leader. It said that the "aristocrats" of the party wished to nominate Mr. Evans but that Morse's friends thought that he should be given another nomination as he had only been run down once and the "demagogues" hoped to win votes by pretending that he was a self-made man, while the friends of Mr. Severance, who had been severely censured for his attacks on the Mexican war, wished to "vindicate" him by making him their candidate for Governor. The nomination finally went to David Bronson of Anson, who had served out Mr. Evans' term in the National House when that gentleman was elected Senator. The Liberty party nominated Samuel Fessenden.

The campaign was fought chiefly on national issues. Much was said about the war with Mexico. The Kennebec *Journal* declared the war "unjust. . . . Successful we shall undoubtedly be (unless European war is induced), disgrace must and will be brought upon our national character, by a contest with so weak a foe, brought on as it is by such cowardly and ungenerous provocations." The *Journal* accused the Democrats of causing the war "that they might ride again into power and place upon the wings of a popular war excitement." The *Journal* added, however, that for the sake of humanity it desired a quick prosecution of the war.

The Whig Congressional convention of Penobscot and Piscataquis counties, and the Whig county conventions of Cumberland and Lincoln, condemned the war. The Democrats appealed to love for the Union, the *Argus* declaring that the Union came before all. The *Age* charged Bronson with saying in an address to the people that the annexation of Texas would justify a dissolution of the Union, and that the Northern States would not and ought not to submit to it. The *Whig* replied to the *Argus* in language which suggested Hayne rather than Webster.

Some attention was also paid to the question of Oregon. In the campaign of 1844 the Democrats had loudly demanded that the whole northwest territory claimed by both Great Britain and the United States be at once occupied. But after his election President Polk accepted a compromise and by Whig aid obtained a ratification of his treaty. In the preceding November the Kennebec *Journal* had argued that the territory if obtained would not long remain a part of the United States and had asked, "Does any one believe this mighty people (of California and Oregon) . . . will compose part of our Republic fifty years hence? Will they rest content under a government whose central focus must be three thousand miles distant, even though that distance be travelled by steam?"

The Whig convention of Lincoln county now declared that it approved of the Oregon treaty but said that we "share in the general mortification of the country, at the extravagant demands and graceless yielding of James K.

Polk, so discordant with one of our national mottoes 'to ask nothing that is not clearly right, to submit to nothing that is wrong'."

The interests of the fishermen and the fishing bounties were again made a campaign issue. The Democrats accused the Whig representatives of voting against the provision in the tariff law reducing the duty on salt, which was much used in the curing of fish, and of supporting a motion to strike out the part of the act continuing the fishing bounty. The Whigs replied that they did this because they hoped thereby to kill the whole law which was a bad one and that the New England Democrats voted against a free salt amendment to a bill which they meant to pass and did pass.

The Whigs also reproached the Democrats with the President's veto of the French spoliation bill. During the French revolution, France had unlawfully seized many American vessels and cargoes; in 1800 a treaty was made by which the United States abandoned its claim for redress and France released the United States from the obligation assumed by the treaty of 1778 of guaranteeing to her the possession of her West India islands. The persons who had suffered from the French spoliations, and their heirs, asserted that since the United States had received a good and valuable consideration for abandoning their claims it was in honor bound to pay them itself. A bill for this purpose passed Congress but was vetoed by the President.

The Whig Lincoln county convention included this veto in a bitter indictment of the Administration, and the Cumberland convention declared that if there was one act more than another which showed Polk's disregard of justice and common humanity it was his refusal to sign the French spoliation bill.

The Whigs did not expect to carry the State. On election day the Bangor *Whig* said that the most they could hope for, was to prevent a choice, and this they did. The official returns gave Dana 36,031, Bronson 29,557, Fessenden 9,938, scattering 678. The *Whig* declared that it was satisfied with the result, that the Democrats were in a minority and would be more so, that there were many Democrats who had joined the Liberty party because they were not yet ready to be Whigs, that for several years there had been nothing to specially criticise in State legislation and that Dana had been nominated because of his personal popularity and to harmonize factions. The *Argus* said that the "unexpected disaster" was not caused by discontent with the national administration, but by inactivity, excess of confidence, lack of organization, and failure to adhere to regular nominations.

Although there had been no choice of Governor by the people there was no doubt that Mr. Dana would be the next Governor, as the Democrats had carried the Legislature, and the next May he was duly elected.

The year 1846 was also marked by a very bitter contest for the Senatorship. The anti-slavery feeling had been gaining strength among the

Maine Democrats, and in 1845 they determined to send to the Senate Hannibal Hamlin, who had served two terms in Congress, where he had vigorously opposed the views of the slavocrats. A majority of the Democrats in the Legislature of 1846 were for Hamlin, but it was the custom for the two houses to caucus separately. The Democratic Representatives nominated Hamlin by a large majority; the Senate after twelve ballots nominated Governor Anderson, the vote standing Anderson 14, Hamlin 11. The "pro-slavery" men were willing to take almost any man except Hamlin, but the House refused all compromise. It was also intimated that Mr. Hamlin might be elected if he would take a more moderate attitude in the slavery question, but he stood firm. At last, after the fight had gone on for six weeks and the Legislature was about to adjourn, Mr. Hamlin rather than have Maine represented by only one Senator withdrew his name and advised his friends to support James W. Bradbury of Augusta. John Anderson, who was the leading anti-Hamlin candidate at the time, also withdrew and the bulk of the Democrats joined in supporting Mr. Bradbury, who was elected.

The new Senator had been active in political management but had held no important public offices. He had been a delegate to the Democratic National Convention of 1844 and is said to have taken a leading part in the manoeuvres which secured the nomination of Polk. He belonged to the conservative wing of the Democratic party but was more moderate than many of his allies.

Mr. Bradbury was an able lawyer and did creditable work in the Senate, but his chief fame is as an associate and survivor. He was a member of Bowdoin's most famous class, that of 1825, which contained Longfellow, Hawthorne, and other distinguished men, and he survived them all. He lived to be the oldest graduate of his college and the senior ex-Senator of the United States. Mr. Bradbury died at Augusta on January 6, 1901, in his ninety-ninth year.

The matter of greatest public interest in Maine during the year 1847 was the conflict over the "Wilmot Proviso." In 1846 President Polk had asked Congress to appropriate $2,000,000 for purchasing Mexican territory when peace should be made. The House of Representatives voted the money, but with a proviso offered by David Wilmot of Pennsylvania, that slavery should forever be excluded from territory thus purchased. The bill reached the Senate almost at the close of the session, and that body was debating it on the morning fixed for the adjournment of Congress, when news came that the House had adjourned, and the bill was lost. At the opening of the next Congress the President again asked for money to buy Mexican territory and the House voted $3,000,000 for that purpose, but on the same condition as the year before. The Senate did not act on the bill but passed another granting $3,000,000 without the proviso.

An attempt was made in the House to attach the proviso, but it was

defeated and the bill was passed. On the question of adding the proviso to the bill all the Maine members voted yea except McCrate, who was absent. On the passage of the bill, one Maine Democrat, Hamlin, and one Maine Whig, Severance, voted no; the other Representatives, all Democrats, voted yes. In Maine several of the leading Democratic papers took a decided stand in favor of the proviso. The *Argus* said that the North was united against making free territory slave, that it was itself in favor of the vigorous prosecution of the war, "but we say with frankness, with firmness, and with a full consideration of all the responsibility of the avowal, the Democracy of Maine ought not, and will not sanction any vote which will lead to the introduction into the Union of another inch of slave territory which is now free."[28]

When the Legislature of Maine met in May, it declared itself in favor of the principle of the proviso. Hannibal Hamlin's term in Congress had expired, and having served four years, the customary period at that time, he declined to be a candidate again, but once more entered the Maine House of Representatives. His object was partly to unite the Democrats of his district who had been so divided that three elections had been held without result, and partly to further his chances for the United States Senatorship at the next election. Mr. Hamlin now took the lead of the anti-slavery Democrats in the House and introduced three resolutions:

"The first declared that, 'Maine, by the action of her State government and representatives in Congress, should abide honestly and cheerfully by the letter and spirit and concessions of the Constitution of the United States, at the same time resisting firmly all demands for their enlargement or extension.' The second said that, 'The sentiment of this State is profound, sincere and almost universal that the influence of slavery upon productive energy is like the blight of mildew; that it is a moral and social evil; that it does violence to the rights of man as a thinking, reasoning, and responsible being. Influenced by such considerations, this State will oppose the introduction of slavery into any territory which may be acquired as an indemnity for claims upon Mexico.' The third asserted that, 'In the acquisition of any free territory, whether by purchase or otherwise, we deem it to be the duty of the general government to extend over the same the Ordinance of 1787, with all its rights, privileges, conditions, and immunities.' "

An attempt was made to substitute other resolutions condemning slavery but proposing no action against it. The substitute was defeated, and the Hamlin resolutions passed the House, only six members voting no. In the Senate they were passed unanimously. It is doubtful, however, if the Democratic leaders were as much opposed to the extension of slavery as this vote would seem to indicate, for during the ensuing campaign only two Democratic conventions in the State declared in favor of the proviso.

The Whigs in their State convention, in county conventions, on the

[28] *Argus*, Feb. 3, 1847.

stump and in the press, opposed the acquisition of territory, but declared that if any part of Mexico should be annexed it ought to remain as it then was, free from slavery. They accused the administration of waging a war of conquest and of treating the heroes of the war, Generals Scott and Taylor, (both of whom to the great embarrassment of the Democrats, chanced to be Whigs) with shameful injustice. Passing from national to State matters the Whigs charged their opponents with having hindered the development of Maine by opposing banks and corporations.

The candidates for Governor in the previous year were again nominated. The campaign was a quiet one, and there were 10,000 fewer votes cast than in the preceding year. Governor Dana, however, was this time elected by the people. The official returns gave Dana 33,429 votes, Bronson 24,246, Fessenden 7,352, scattering 275.

Governor Dana's message to the Legislature which appeared a little before the opening of the campaign, had shown such opposition to slavery that it was quoted and praised by that influential anti-slavery, though Democratic journal, the New York *Evening Post.* But shortly after the election, the Governor issued a Thanksgiving proclamation in which he gave great offense by advising anti-slavery ministers to keep the subject of slavery out of their Thanksgiving sermons. He said: "Let not the voice of murmuring disturb the songs of praise. Let party bitterness and sectarian zeal be silent. Let not the day be desecrated or the house of God profaned, by political harangues, assaults upon the institutions of our sister States, or denunciation of the terms of Union. But let us all join in a general festival that another year has passed, and we are still a united, prosperous and happy people." The Governor's exhortations, as he might have foreseen, produced little effect except to stir up ill feeling. The *Whig* styled his recommendations commands. The New York *Tribune* called them impudent.

The close of the year was marked by the sudden and unexpected death of Senator Fairfield, the result of an operation. As the Maine Legislature did not meet until May, the right of appointing a Senator to serve until the Legislature acted or adjourned, devolved on Governor Dana. The privilege was an embarrassing one, for there would be many candidates for election by the Legislature, the person already serving as Senator though only a *locum tenens,* would have an advantage and the Governor who appointed him would incur the displeasure of all the other candidates and their friends. Mr. Dana solved the difficulty by appointing W. B. S. Moore of Waterville, who promised to be satisfied with a few months' term. Mr. Moore was then Attorney-General of Maine. He was an able lawyer, and a skillful and influential politician. Subsequently he was appointed by President Buchanan Consul-General to Canada.

Moore's appointment roused the anti-slavery men, and again they bent all their efforts to send Hamlin to the Senate. From the other wing of the

party there were four candidates—Attorney-General Clifford, the leader of the Hunkers, or more extreme pro-slavery Democrats, who as a member of the Cabinet had the support of most of the national office-holders in Maine; ex-Governor Anderson, an unflinching Democrat, an intimate friend of Mr. Van Buren, and popular; Samuel Wells, a former Whig, and John D. McCrate, an experienced politician and persistent office-seeker, who was well inclined to Mr. Hamlin. The Democratic caucuses met on the same day. That of the House promptly nominated Hamlin by a good majority; in the Senate caucus there was no choice. Fearing a repetition of the extreme and perhaps corrupt means used against them in the preceding year, the friends of Hamlin concealed their strength and allowed their opponents in the Senate to believe that they could again defeat Hamlin's nomination. An agreement was made that there should be no bolting but that all should support the regular Democratic nominee. The anti-Hamlin men had consented, feeling sure that Hamlin could not get the nomination of the Senate caucus and so would not be the regular nominee of the Legislature. The balance of power in the caucus was held by a few men who disliked slavery but who hesitated to go against the party leaders, the machine, and who also were anxious to be on the successful side. To win them by giving an impression of increasing strength, the Hamlin men refrained from throwing their full vote at first, but on the second ballot there was a gain for Hamlin of one vote, on the third of two, on the fourth the undecided men came over and Hamlin was nominated. Great was the surprise of the "Wild Cats," but they were pledged to support the nominee, bolting under such circumstances was not to be thought of, and they joined their late opponents in electing Mr. Hamlin over George Evans, the Whig candidate.

Hannibal Hamlin was born at Paris Hill, Maine, on August 27, 1809. His grandfather, Captain Eleazer Hamlin, had an honorable record as an officer in the army of the Revolution. His military and classical tastes and the independence of his mind were proved by the names he gave his sons. Abandoning the old custom of calling children after Scriptural characters, he named a son Scipio Africanus. The neighbors, however, less classical and possessing the American fondness for the short cut, persisted in calling the boy Africa. This gave the father a new idea, and succeeding children were named America (abbreviated to Merrick), Asia, and Europe. The continents were now exhausted, and when some time afterward twins arrived, ancient history was again resorted to and the babies were named Cyrus and Hannibal. Cyrus became a physician, settled in Livermore, Maine, and married Anna Livermore, daughter of Deacon Elijah Livermore, the founder and great man of the little town. In 1805 the Doctor moved with his family to Paris. About four years later he and his twin brother Hannibal agreed that each should name his next son after the other. Dr. Hamlin soon had occasion to fulfill his pledge, and somewhat later it became the duty of Hannibal to return the compliment. Both cousins were

Hannibal Hamlin

to do honorable work and to attain high place. The elder was to sit for a quarter of a century in the United States Senate and to have his name indissolubly associated with Lincoln's; the younger was the working founder and first president of Robert College, Constantinople.

Hannibal was a very sickly infant, but under the treatment prescribed by an aged squaw, said to be a daughter of Paugus, the Indian chief killed in Lovewell's fight, his health quickly improved and he grew to be a remarkably strong and healthy boy and a leader among his mates. He was extremely fond of out-door life. His grandson says: "Hannibal used to scour the mountains and neighboring country for game and fish. He became a crack shot and a true fisherman. He seemed to find trout brooks by intuition, and eventually cared more for fishing than for hunting. When once he found a trout brook in an out-of-the-way place, he kept his secret to himself and one or two of his cronies. Years afterward he would go back to Paris Hill to drink in the vitalizing air and to fish. People around the Hill said that he could still find his secret trout brook, and no one else could. He was one of the best fishermen in Maine, and his passion for angling carried him from home every season until the last year of his life." (He lived to be nearly eighty-two.)

Mr. Hamlin was educated at the Paris schools and at Hebron Academy. He had hoped to go to college, but the ill health of a brother and the sudden death of his father compelled him first to postpone and then to abandon the plan entirely. An offer of a cadetship at West Point had been refused at his mother's request. He cultivated the family farm with much success. He taught school a little, surveyed a little, and was for a brief period part owner of a short-lived newspaper, the *Jeffersonian;* acting also as reporter and printer. His co-proprietors were Henry Carter, afterwards a prominent citizen of Portland and editor of the *Advertiser,* and Horatio King, subsequently Assistant Postmaster-General under President Buchanan. Meanwhile he was devoting his spare moments to the study of law. By the time he was twenty-three he had saved enough money to warrant his spending a year as a student in the office of Fessenden and Deblois, two of the leading lawyers of Portland. They treated Hamlin with great kindness, gave him special advice and opportunities in his work, and at the end of the year declined the usual fee, General Fessenden saying, "I think you can make a better use of the money than we can, my boy. Then again, if I know you right, and I think I do, you will yourself encourage deserving young men when you will be able to."

After completing his study with Fessenden and Deblois, Hamlin was duly admitted to the bar, and won his first case on the same day, defeating his future father-in-law, Stephen Emery, a leader of the Oxford county bar. That gentleman, however, accepted the situation with a good grace, congratulated the victor, and made formal announcement of his engagement to his daughter.

Mr. Hamlin settled in Hampden, a more active place eighty years ago than it is today, and began to build up a practice, giving special attention to admiralty law. But he soon turned from law to politics, and found therein his true vocation. His father had been a Federalist and National Republican, his older brother Elijah was the Whig candidate for Governor in 1848 and 1849, but Hannibal was from the first a Democrat. His being a younger son is said to have been an indirect cause of his apostasy from the family creed. Dr. Hamlin took both the leading Portland papers, the *Gazette* and the *Argus,* but the youthful Hannibal was obliged to wait for the *Gazette* until his father and brother had read it, meanwhile he consoled himself with the *Argus,* "and before his father realized it, Hannibal had become a pronounced Democrat, and warm partisan of the doctrines of Jefferson and Jackson." This was, however, the occasion rather than the cause of his conversion, for he was a Democrat by nature. Of great physical strength, hale and hearty, he enjoyed associating with all classes of men, and was in no way repelled by a roughness which would have been offensive to a person of a highly strung nervous temperament like his future colleague, William P. Fessenden. He was an inveterate smoker, and in the privacy of his apartments, when there was no one to be disturbed, preferred a pipe to a cigar. He had no use for what he termed "that expensive noise called music," and is said to have come late to church to escape it. He never left the United States until over seventy, when he accepted an appointment as Minister to Spain. In Europe he studied the men rather than the buildings. One cathedral would answer for him, and he thought it "the grand show in every European city, the parade horse of them all." His chief interest was in things American. His grandson says, "Dickens and Thackeray were not favorites of his, though he recognized the former as a great humanitarian, and the latter as a true artist. But their books did not specially appeal to him; he preferred to read about his own people." He, however, cared something for painting and more for poetry. He enjoyed dancing, was an inveterate card player and took an intelligent interest in the drama. Indeed in his youth he once considered going on the stage.

Mr. Hamlin was a man of great kindness of heart. He was extremely fond of children and animals. No one who knew him "could remember the time when he did not have a dog and a cat. He had at least, from first to last, a dozen dogs." When Minister to Spain he was greatly shocked by the amount of infant mortality in Madrid, and astonished the conservative, easy-going Dons by urging that the women abandon the national custom of sitting out doors till midnight with their babies.

Mr. Hamlin kept until the end of his life the humanitarian, optimistic view, characteristic of the middle nineteenth century. When Speaker of the Maine House in 1837, he took the floor in defense of a bill abolishing capital punishment, and just fifty years later, in 1887, he appeared before the Legislature to make a similar plea. In closing, he said, "You have

honored me a great many times, and in the evening of my life, when the shadows are gathering about me, grant me this; it is all I shall ever ask you. What little time I have left, brighten for me, and let me return to my home with the knowledge that I have not wholly outlived my usefulness, and have in a small measure aided the cause of humanity."

Mr. Hamlin entirely disapproved of President Hayes' reconstruction policy, and regretted the final abandonment of the negro by the Republican party. His last long speech in the Senate was made against a bill denouncing the Burlingame treaty with China permitting free movement from one country to the other. Mr. Hamlin was actuated not simply by compassion for the Chinese, but by unwillingness to abruptly break a solemn treaty instead of politely seeking a modification. The stand was characteristic of his sturdy honesty. He resolutely refused to make money out of his position, and he held in the deepest contempt a man who broke his word.

Mr. Hamlin's "homely" tastes and warmth of heart gave him great political influence which was increased by his loyalty to his friends and supporters. He had entered politics at the time of the triumph of the spoils system and, like most men of his day, including Lincoln, he accepted and used it; indeed, he was in close association with such well known spoilsmen as Chandler, Logan and Cameron. Yet it should be remembered that rotation in office helped break down a system under which office was in danger of being treated as personal property, and at times as inheritable property, that spoilsmen like Chandler could manage a department with honesty and efficiency, that the examination system of appointment is specially favorable to men of routine and red tape. The great defect of the old method was that persons were recommended for appointment to office from considerations of their usefulness, past or future, to their political backer, rather than to the country. In this respect Hannibal Hamlin's record was good. Senator Hoar remarked to Judge Carter of Haverill, formerly editor of the Portland *Advertiser*, "It is said that Mr. Hamlin has secured the appointment of more men to office than any other man now in public life; but I will say that he always supports good men for office, never bad men."

Mr. Hamlin began his political career in the fall of 1835 as a successful candidate for election to the Maine House of Representatives, and served there five years, three of them as speaker. In 1840 he was nominated for Congress, but it was a Whig year and he was defeated. He tried again in 1842, was successful, and served the usual two terms. He then began to work for the United States Senatorship and in 1848 obtained it.

From this time his methods as a legislator changed. He was through life a very effective stump speaker, and while a member of the Maine House and a Representative in Congress he had taken an active part in debate, speaking at length and in the somewhat florid style which had been common in public life for many years. But when Mr. Hamlin entered the United States Senate, he found that the long set speech was less highly regarded

than formerly. The great masters,—Calhoun, Clay and Webster,—were closing their careers. Many of the would-be orators who tried to follow in their footsteps bored rather than charmed or swayed the Senate, and their endless talk was specially offensive to one of Mr. Hamlin's practical businesslike nature. Accordingly he seldom spoke at length and, especially in the latter part of his career endeavored both by precept and example to make the Senate a legislative rather than a talking body. He looked carefully after the interests of his State and of individual constituents, worked in committee, and did valuable service in the daily business of the Senate which is so important, yet which attracts so little public attention. When he completed his final term in 1881 he was the last of the anti-slavery old guard, had served longer than any other Senator and was said to be the most influential of them all.

The year 1848 was marked by the death of John Quincy Adams, struck down by a paralytic stroke in his seat in the House. The *Argus,* that had opposed and abused him, calling him corrupt, a madman and a nuisance, now said that he "battled manfully and eloquently for what *he believed* to be right, often running counter to the views and wishes of his warmest friends." "He was a man of great simplicity, purity and industry."

The Maine Legislature, when it met in May, found the contest for the Democratic nomination for the presidency still unsettled, but with the chances decidedly in favor of General Cass. The other candidates were James Buchanan and Levi Woodbury, of New Hampshire, then a justice of the United States Supreme Court. The Democrats of the Legislature held a caucus and by a vote of 94 to 14 declared that they believed that Levi Woodbury was the first choice of the people of Maine for President. When the convention met, Judge Woodbury was nominated by Hannibal Hamlin and obtained 53 votes on the first ballot. But General Cass received on the same ballot only one less than a majority, and on the fourth ballot more than two-thirds of the votes were cast for him, and he was therefore nominated.

The Democrats of Maine had appeared to be nearly unanimously in favor of Woodbury, but he was supported as a New Englander rather than from any great personal popularity, and his defeat caused little or no bitterness. The Whigs were less fortunate. After the defeat of Clay in 1844, many of his most loyal supporters felt that he could never be President, and they returned to the methods of 1840 and began to look around for a leader who could win. His qualifications for the presidency and his belief in Whig principles were matters of less importance. The Mexican War turned their attention to General Taylor, the victor of Buena Vista, who was a kind of Whig. The people were ready to follow him without inquiring about his views on public questions. There was a widespread discontent with politicians, who were regarded as selfish and scheming, and men were eager to turn from them to "Old Rough and Ready," the simple,

honest soldier. Democrats as well as Whigs considered him as a candidate. Taylor accepted the nomination of a Young Men's Democratic Convention and the General's managers had some trouble in preventing him from being so non-partisan as to disgust the Whigs.

The Taylor movement in Maine began early. In April, 1847, the *Argus* thought it well, while expressing admiration for General Taylor, to urge the Democrats not to be hasty in selecting a candidate, and to declare that he must be known to be strictly orthodox. At the Whig convention for nominating a Governor, held at Augusta, May 27, 1847, a notice was given of a meeting of the friends of Taylor. The gathering was not harmonious, for though Whigs were managing the meeting, Democrats who were Taylor men attended. Three resolutions were reported. The third charged the national administration with imbecility and corruption, and predicted that a Buena Vista awaited it. A Democrat, Mr. Smith, of Augusta, said that this kind of an entertainment was not the one to which he had been invited, that he believed that the administration was a wise and virtuous one, and that Taylor was a Republican of the old Virginia school. Mr. Farley, of Newcastle, replied that he would not support Taylor did he not believe him a Whig; that he believed that Taylor was honest and "would break down the accursed spoils system, which was eating in like a gangrene to the vitals of our Republic." A motion to strike out the third resolution was defeated on a show of hands by a vote of about 3 to 1, and the resolutions were passed.

The opponents of Taylor, however, were far from giving up the fight. The Portland *Advertiser* claimed that the Maine Whigs desired the nomination of various men eminent in civil life rather than that of Taylor. The party was divided geographically, the East supporting Taylor, the West being in favor of Clay or Webster.

A series of able letters signed "Union" appeared in the Bangor *Whig*, urging the nomination of Taylor. The author was ex-Governor Kent, who led the Taylor forces in Maine. Eastern Maine, however, was not unanimous in supporting the general. "Consistency," in a letter to the *Whig*, opposed him because he was a soldier, a slave-holder, and not in favor of the exclusion of slavery from our newly acquired territory. A caucus at Bangor instructed its representatives in the State convention to vote for Taylor men as delegates to the National convention, but a strong minority favored sending an unpledged delegation.

Shortly after the Bangor caucus, a letter from Taylor was published in which he said that he should remain in the field even if the Whigs nominated Clay. This was a bitter pill for the Bangor *Whig* to swallow, but it attempted to prove that the letter was modified by another in which Taylor stated that he would gladly retire if his friends manifested such a wish. The *Whig* argued that Taylor's friends were Whigs, and that if Clay was nominated by the Whig National Convention, then the general's "friends" would have clearly expressed a wish that he should withdraw.

The Whig State Convention met at Augusta and the Democrats generously put Representatives Hall in the State House at their service. The *Whig,* in acknowledging their politeness, said: "It was a very courteous movement on the part of the majority of the House of Representatives to offer the use of their hall to the Whig State Convention. . . . Such acts are calculated to soften the asperities of political parties and to make them feel that with all their differences they are brethren."

The members of the convention were in danger of forgetting not only that the Democrats, but that they themselves, were brethren. The contest over the choice of delegates at large to the National convention was bitter. Finally ex-Governor Kent and George C. Getchell, of North Anson, both Taylor men, were chosen. Kent received 173 votes to 139 for the unpledged candidate, Samuel Bradley, of Saco. Getchell obtained 162 to 153 for Bradley, who ran again. The *Argus* alleged that the Taylor men won by a trick, that they promised to support Bradley if their opponents would help them elect Kent, and then broke their word.

At the National convention the speech nominating Taylor was made by Mr. Kent, and on the fourth ballot the convention chose the general as its candidate. On the first Maine had voted solidly for him, but all the other votes from New England had gone to Clay or Webster.[21]

The nomination was a triumph of expediency. The Bangor *Whig* in endorsing the action of the convention said of Taylor: "If indeed he is not the clearest and best exponent of Whig principles, he is the Whig most certain of election, and the party can with him relieve the country of locofoco misrule, introduce a prudent and honest administration of public affairs and a just balance between the several departments of the government, instead of having them all absorbed in the hands of the President. In this way they can commend the principles and measures of the Whig party to the common sense and experience of mankind and thus secure to their country their beneficent action."

For Governor, the Whig State Convention nominated Elijah Hamlin, a brother of Hannibal Hamlin, by a vote of 206 to 114 for various other candidates. The *Whig* said of him: "His reputation rests upon his known intellectual ability and his enlarged public spirit. In early life, the companion and intimate friend of Governor Lincoln, he has the same tastes and manly qualities, without his faults, and far greater attainments, too, on subjects of general interest. The history and resources of Maine have been with him favorite topics of inquiry, and no man in Maine can compare with him in profound knowledge of both." In 1837 and in 1841 Mr. Hamlin had held the office of land agent and had administered it with much vigor.

This year there was a third presidential candidate in the field, no other than that erstwhile head of the Democracy, ex-President Van Buren. Van Buren and his friends had been deeply offended by what they regarded as

[21] Stanwood, "History of the Presidency," 238.

Polk's unjust and ungenerous treatment of them in his choice of Cabinet officers and his distribution of the New York patronage. The Democratic nominee, General Cass, was very obnoxious to them. New York had sent rival delegations to Baltimore and the convention, unwilling to decide between them, voted to allow each to cast half the vote of the State. But both factions differing in so much else agreed that in this case no bread was better than half the loaf, and refused the offer.

Angry at what they regarded as a succession of insults, the New York Van Burenites held a State convention and nominated Van Buren for President on a platform demanding the exclusion of slavery from the new territories. Other anti-slavery political organizations joined them and the Free Soil party was formed, with Martin Van Buren as its leader.

The new Apostle of Freedom was of course bitterly assailed by the party he had left. The *Argus,* which had warmly supported him for the Democratic nomination in 1844, now declared that his purpose was to organize the North against the South as a first step in the destruction of the Union, and that it regretted to say that it could give him little credit for sincerity. "The truth is, and it is useless to disguise it, that this whole movement is more a matter of *revenge* than of *conscience.* We are aware that it will be difficult to comprehend such treason as has been committed by Martin Van Buren—a man who has been more pampered with office, and as nobly sustained by the people, as any one man living. The Democratic party of the South as well as the North made him great. From the dawn of his political life until his sun was hiding itself, lustrous and beautiful, behind an honorable old age, it has held him up. Now, with an ingratitude unsurpassed, because the party has no more honors to confer on him, he deserts it, and lends his influence to throw the mighty interests of this great nation into the hands of Federalism."

Van Buren's son, John, a shrewd politician and an excellent campaign orator, visited Portland and spoke in his father's behalf, pouring scorn on regular nominations. The *Argus* caustically remarked that he had "somewhat altered his views from 1836, when his father was elected President by the power of that usage—a usage originally established for his express benefit."

The *Argus* endeavored to enlist the anti-slavery men in the Cass ranks. It brought up Van Buren's vote for excluding anti-slavery matter from the mails of States where the circulation of such matter was forbidden, laid stress on the fact that Taylor was a slave-holder, and quoted from Southern papers which praised Taylor and expressed suspicions of Cass. After the election it said that if Taylor was chosen it was because "the Federal party has bowed itself down to the Moloch of slavery," and declared that it was proud that the Democrats had stood for principles.

The Whigs accused Cass of drawing excessive compensation as a public officer, of truckling to Louis Philippe when Minister to France, of being a

waverer, and two-faced. The Portland *Advertiser* said of the Democratic nominations:

"The Locos are now fairly launched, with a regular, full-blooded fighting ticket. General Cass, the candidate for President, has always been a truckling demagogue, ready to yield to those who clamored loudest and bid highest, and as the South has always clamored loudest and bid highest, the result has been that upon almost all the greatest questions which have agitated the country, after quivering and shaking in the wind, until he placed himself in a ridiculous attitude, he has always finally settled down as the faithful ally of the South, and is perfectly sound on Southern institutions. Hence the South selected him as the most complete dough-face of the whole lot and gave him an almost undivided support. The other candidates have bowed down to the South for nothing, having now learnt by experience that in order to satisfy the Southern portion of the loco party they must not only bow down, but roll in the very filth and mire of slavery.

"On only one subject has General Cass always been consistent. His voice has always been for war."

On the subject of the Wilmot Proviso the *Advertiser* said:

"When Southern slave-holders speak boldly and *impudently* of their right to extend slavery over territory now free, it is time that the issue should be met boldly and decidedly by the North without any such miserable shifts and compromises. 'But we must preserve the Union,' says one. That is always the cry of slave-holders whenever they wish to intimidate a dough-face. The only way to preserve the Union is to promptly meet and decide this question of liberty. Southern slave-holders may then cease their impudent demands and have some respect for Northern politicians. But if Northern men go on yielding one point after another, these demands of a greedy, desperate and vile institution will be increased beyond forbearance, and add strength and fuel to the abolition feeling of the North, until a collision between them may cause a dissolution of the Union."

The candidacy of Van Buren split the Democratic party in New York, and so gave the State and the presidency to Taylor. Two Maine men were earnestly pressed for Cabinet positions. Ex-Governor Kent had been an early and able advocate of Taylor's nomination. His friends urged the President to reward his services with the post of Attorney-General. Others set forth the claims of George Evans to be Secretary of the Treasury, a place which Mr. Evans' abilities qualified him to fill with high credit. In the end, neither of the candidates found favor in Taylor's sight, and the New England seat in the Cabinet went to Vermont, Jacob Collamer, of that State, being appointed Postmaster General. But as consolation prizes, Mr. Kent was given the consulship at Rio Janeiro and Mr. Evans the chairmanship of the Commission on Mexican Claims. Taylor's treatment of the subordinate officers provoked much criticism. Before his election he had expressed disapproval of removals of minor officers for political reasons, his supporters had said that, not being a politician, he would have no friends to reward, and this was twisted into an assertion that Taylor himself had said that he had no friends to reward and no enemies to punish. After the

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inauguration, however, the Whigs discovered that the welfare of the country demanded a sweeping removal of their opponents and the President yielded to their wishes. Maine early felt the effects of this policy. The *Argus* in an editorial of May 15, 1849, said that ex-Governor Dunlap, who had worked ten hours a day at his desk and never urged his opinions obnoxiously, had been removed from the collectorship of Portland, that Rufus McIntyre, the United States Marshal, and every collector and surveyor in Maine but one had been removed, that most of the postmasters had suffered a like fate, and that the few that remained would soon follow them. "To us," said the *Argus,* "and to the Democratic party, this will not be a source of regret. Its tendency will be to exhibit the fraud, falsehood, intense hypocrisy, and consummate selfishness of the Federal party, and the weakness, mental and moral, of their nominal head. It will give unity to the Republican organization—heal its internal divisions—and impart to it matchless determination and zeal."[22]

Notwithstanding Taylor's surrender to the spoilsmen, some of the Whigs were discontented. "The cake was not big enough to go round," and those who did not get a piece made their disappointment felt. Bangor, a Whig city, elected Hastings Strickland, a prominent Democrat, to the Legislature. The *Jeffersonian,* an anti-slavery Democratic paper which had been established under the auspices of Hannibal Hamlin, said that Mr. Strickland's success was due to disgust with the President's appointments and with Kent. The *Whig* said that the party vote was small and that it feared that one of the reasons was a desire to protest against the action of the leaders.

If the Whigs were somewhat divided over the Federal offices, the Democrats were engaged in a quarrel over the nomination for Governor. Under the lead of Senator Hamlin, the anti-slavery wing of the party decided to support for Governor, Dr. John Hubbard, of Hallowell, a popular physician "of immense practice," who it was hoped would win back the Democrats that had voted with the Free Soil party the year before. The Wild Cats determined to have a candidate from their own district, Eastern Maine, and selected Col. John Hodgdon, of Houlton. To Hubbard's nomination they declared unyielding opposition. The Bangor *Whig,* of June 28, said that three weeks previously the Hunkers swore that Hubbard should never be nominated; they were indignant that Kennebec, "the weakest, frailest sister in their household, should presume to force a Governor on them." Colonel Hodgdon, however, was not a Wild Cat, at least not a full-blooded one, and he might hope for support in Hubbard's own county, for some of the Augusta politicians, Kennebeckers though they were, disliked Hubbard's Free Soil proclivities. They were reported to have said that Hodgdon was nigger enough, but that Hubbard was still more nigger. But Hodgdon was under the disadvantage of having acted with the Whigs during Van Buren's

[22]W. *Argus,* May 15, 1849.

administration and of having supported Harrison in 1840. This wavering was not forgotten. The Saco *Democrat* said that it would not favor the nomination for Governor of one who left the party in time of stress, it would not nominate a comet. The Belfast *Journal* hoped that the nominee would be a man who embodied the Democratic opinion on the important question of the times, free territory, and whose adherence to the party had been strong and unwavering.

When the convention met, two gentlemen claimed the right to call it to order, and for a while it seemed that two conventions would result. An arrangement was at length agreed to, but another serious difficulty arose over questions of rights to seats. Twenty-three delegates had been chosen by unorganized plantations, fifty-four were not residents of the localities which they claimed to represent. The convention decided against the right of unorganized plantations to be represented, but allowed the absentee delegates to take their seats. The *Jeffersonian* said that the latter vote was passed rather as a matter of favor than of strict right. Most, if not all, of the places whose delegates were excluded were small plantations with a shifting population, some of them were almost deserted except during the lumbering season. Many of the delegates were large lumber operators who owned most or all the land in the plantation for which they sat, as did the proprietors of the English "pocket boroughs."

The decision on the seating was a victory for Hubbard, which was followed by his nomination on the first ballot, the vote standing Hubbard 353, Hodgdon 235, scattering 5. A Hodgdon delegate then read a letter from him, thanking his friends, praising Hubbard, and promising hearty support. A Hubbard leader moved resolutions complimenting Hodgdon, which were passed unanimously, and the convention gave three hearty cheers for Hubbard and three more for Hodgdon.

The Whigs renominated Elijah Hamlin, the Free Soilers nominated George F. Talbot. The vote was considerably less than in the preceding year, that of the two leading parties falling off about 2,000 each and the Free Soilers 4,000. The official count gave Hubbard 37,636 votes, Hamlin 28,056, and Talbot 7,987. There were 102 scattering.

Chapter XIII

COMPROMISE OF 1850—PROHIBITION

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The principal events of the year 1850 were, in National affairs, the passage of the last of the great compromises; in State affairs, the re-election of Senator Hamlin, after a protracted and most bitter fight. The organization of the territory ceded by Mexico had been delayed by a violent dispute between the North and South as to whether it should be free or slave. Henry Clay returned to the Senate in the hope of rendering a last service to the Union by the arrangement of another compromise. A committee of which he was chairman proposed that California be admitted as a free State, that New Mexico and Arizona be organized without stating whether slavery was or was not allowed therein, that Texas be given $10,000,000 to withdraw certain claims in regard to her boundary, and that a stricter fugitive slave law be passed. On the seventh of March, 1850, Daniel Webster made a speech in favor of this plan. His sympathies now seemed to be almost wholly with the South and the champions of freedom felt that he had deserted them. He was met with a torrent of censure from old friends, while old enemies praised him. In July, President Taylor, who had opposed the compromise, died. His successor, Fillmore, favored it, and with great difficulty it was got piecemeal, not as a single bill, through Congress.

The Maine Senators and Representatives were divided on the question. Mr. Bradbury voted for the compromise, Mr. Hamlin against it.

Mr. Webster, roused by the attacks upon him, made public speeches and wrote open letters defending his course and treating his opponents with an anger and contempt unworthy of him or them. One of his letters was to the Whig press of Maine. The Saco *Union* replied in a dignified and courteous manner, that every Whig paper in the State disapproved of the compromise, but that all had expressed their opinions mildly, without imputation of motive and making but slight reference to Mr. Webster personally.

The Democratic papers who belonged to the pro-slavery wing were inclined to support the compromise. The *Argus* praised Clay. A Senator had quoted a threat of secession made by Representative Rhett, of South Carolina. Clay answered: "If he follows up that declaration by corresponding overt acts, he will be a traitor, and I hope he will meet the fate of a traitor." The *Argus* highly commended this reply.

On September 24, the *Argus* strongly advised acquiescence in the compromise. It said: "The Republic needs repose. Its business interests have suffered already from the long contest which has just terminated. . . . Let all good citizens rejoice now that that contest is at an end and frown upon all attempts to revive it without necessity." Such language was

typical. There was a strong feeling among business men and people who loved peace and quiet, that agitation should cease. Non-partisan union meetings were held throughout the country. In December a large and carefully arranged one met at Bath. A "Wild Cat," a Democratic Liberal and a Whig all called for support of the compromise. Nathan Clifford bitterly attacked the anti-slavery men, but proclaimed their defeat. He said:

"The moment they acquired influence, some of the more daring of their leaders came forward and boldly avowed the intent and aim of the agitation. It is now seen in all its deformity, embracing as it does, in its scope and ultimate purpose, the abolition of slavery everywhere in the United States. The means for the accomplishment of this end, as every sane man knows, are and can be, no other than a dissolution of the Union, and the consequent overthrow of our Federal constitution.

"It was here, I believe, that the first voice in Maine was raised in opposition to the peace measures of the last session of Congress—where is that voice? All being silent—hearing no response, I am led to believe that it is sleeping the sleep of death." One person said "No, here," and Mr. Clifford instantly replied: "There was one Judas among the twelve Apostles; but it is fortunate for our Union, and the honor of Maine, that here there is only one among thousands."

Governor Hubbard was present and made a speech in which he classed the negroes with monkeys. Mr. Evans wrote a letter to be read at the meeting, in which he said: "Resistance to the fugitive slave law is as criminal as to any other law, and he who encourages it encourages anarchy."

During the struggle over slavery and the compromise there was another, and similar, bitter fight within the Democratic party over the re-election of Mr. Hamlin, whose term would expire on the fourth of March, 1851. It is said that more than two-thirds of the Democrats elected to the Legislature had been instructed by their constituents to vote for Hamlin. But there was a minority ready to resort to almost any means to defeat him. Governor Dana had swung away from his old position of moderate opposition to slavery and was now in close alliance with the Wild Cats. Conferences were held in the Governor's room at Augusta, plans were made, and Governor Dana's last important act before yielding his chair to Dr. Hubbard was to fill all the offices at his disposal, which were many and important, with "bitter and avowed supporters of the doctrine of slavery extension."

For a time it was thought that Mr. Dana, himself, might be the Hunker candidate for Senator, but it was found that he could not carry his own county, Oxford, and he was therefore dropped. The choice of the managers then fell on one of the most skillful of their number, Bion Bradbury, of Eastport, who eagerly set to work to procure his own nomination. Charles E. Hamlin says in his life of his grandfather, "Although Bradbury had small chance of success, he evinced, in so marked a degree, a talent for organization, and an ability for pulling wires, that Mr. Hamlin quickly

recognized in him a dangerous opponent. If Bion Bradbury had lived in New York city, where his peculiarly adroit political ability would have found a suitable field, he doubtless might have attained great prominence as a political leader. He was a member of the National Executive Committee of the Democratic party for many years, and exercised no mean influence in its councils, though he was but little known outside of Maine." In Hannibal Hamlin he found a foeman worthy of his steel. That gentleman kept the direction of his campaign in his own hands, not giving his entire confidence even to the most trusted of his lieutenants. To one division of them was assigned the duty of holding his supporters firm, another group unknown to the first was craftily stirring up dissension in the enemy's ranks. It was quietly intimated to the friends of John Anderson, of Portland, who had served four terms in Congress, that he would make a good Senator and ought to have the support of his home county of Cumberland. "Mr. Hamlin," says his grandson, "introduced clever tactics in other counties, and before long the Hunkers had a very interesting contest in their own camp to settle, without dreaming how it originated." Bradbury had won over many of the managers, but he had neglected to look after the rank and file, and when the Legislature met the leaders found to their dismay that their men would not follow them, and that Bradbury must be dropped. It was a bitter mortification to the would-be Senator, and what was more important, a serious blow to his prestige. Mr. Bradbury was a member of the House, where his influence as a leading party manager and his ability for intrigue made him a power, but his authority was now seriously diminished by his utter failure in his contest for the senatorship.

When the Democratic caucuses of the House and Senate were held, the Hunkers absented themselves in order not to be bound by the result. Shepherd Cary, however, the well-known Aroostook Wild Cat, appeared at the Senate caucus and denied that Mr. Hamlin was a Democrat. The specifications of the charge were that he had opposed various measures for the benefit of slavery, which had never been formally endorsed by a National convention, and that he had opposed General Cass in 1848, which was false. The attack, however, made considerable impression in the Senate, where Mr. Hamlin was weakest. The Wild Cats, those sticklers for party regularity, came to an understanding with the Whigs on the filling of a vacancy from Cumberland. It will be remembered that vacancies in the Senate were filled by the House, and the Senators who had been elected.

It was the custom for the Senators and Representatives of each party from a district where there was a senatorial vacancy to hold a caucus and nominate a Senator who was then supported for election by the whole party. Accordingly, the anti-slavery Democrats helped elect a Hunker to fill a vacancy from Washington county because he had been nominated by the Washington Senators and Representatives. There was also a vacancy from Cumberland. Here there had been two

Democratic candidates for election, Charles Megquier, anti-slavery, and George F. Shepley, Hunker. The Democratic Senators and Representatives from Cumberland voted 15 to 2 for Megquier, but the Hunkers made an alliance with the Whigs and the coalition elected Shepley. The motto of the Hunkers was "Anything to beat Hamlin." The Whigs justified their action on the ground that it would help them to elect a Whig to succeed Senator Bradbury.

The success of the alliance caused great alarm among Mr. Hamlin's friends, and they sent to Washington for him to come to Augusta and advise them. On his arrival he found that his opponents were demanding that resolutions against the introduction of slavery into free territory, passed by the Legislature in 1849, be repealed or modified. The refusal of Mr. Hamlin and his friends to agree, induced several wavering Senators to remain with the bolters throughout the struggle. Some of the Hamlin men were inclined to yield in the matter, but the Senator gathered his forces, bade them stand firm, assured them of victory, and warned them against personalities. "Don't abuse my opponents," he said; "let them do all the abusing and trading. I am going to win, and I want as little hard feeling as possible after it is all over." The Hamlin men closed their ranks, but they were not strong enough to prevent the Hunker-Whig coalition from postponing the election a month.

Most of the leading Democratic papers opposed the bolt. Among those that did so were the Bangor *Jeffersonian,* Saco *Democrat,* Belfast *Journal,* Augusta *Age,* and Portland *Argus.* The Bangor *Democrat,* always viciously Wild Cat, approved it.

On June 20 the House again balloted for Senator. Mr. Hamlin received 67 votes, or 8 less than a majority; Mr. Evans, the Whig candidate, obtained 42; the Free Soilers gave General Fessenden 15 votes; 20 Hunkers voted for Governor Hubbard, and there were 5 scattering votes. Next day Governor Hubbard wrote a letter forbidding the use of his name and urging support of the regular nominee. The Hunkers then united on John Anderson. In the Senate there were 13 votes for Hamlin, 3 less than a majority, 7 for Evans, 6 for Anderson, 4 or 5 for Fessenden. After eleven ballots had been taken in the Senate and ten in the House, the election was postponed for another month. The Hunkers again attempted to repeal the instructions to vote against the introduction of slavery into free territory, but the Whigs refused to assist them, and they failed disastrously. They then tried to slip through some resolutions that appeared to reaffirm the former ones, but which were not actual instructions. Here, too, they failed.

The contest was sharp and rough. One prominent Hunker invented a story which he so told as to intimate that Hamlin had negro blood in his veins. The candidate's friends were ready to proscribe and to raise the cry of "no more neutrals." A letter to the *Jeffersonian* declared that the opposition to Hamlin came mainly from collectors of customs in Aroostook

and Washington counties, that the appointments to these offices were referred to the Committee on Commerce, of which Mr. Hamlin was chairman, and that he would consult the people as to the men they wanted. The meaning of this was clear. The *Jeffersonian* said in an editorial of July 23, 1850, that no neutrality was permissible, that all men who did not sustain regular nominations would be held accountable; that if they or their friends should be put up for an elective office "Mr. Hamlin's friends will *remember them.* BE SURE OF THAT."

Mr. Hamlin had seen his election defeated by a minority refusing to yield to a majority. He now determined to seek help outside the Democratic lines. Careful management, however, was necessary to prevent this bringing more loss than gain. In the Senate there were eleven men who were warm supporters of Hamlin, four others it had been hoped would vote for him against their personal preferences, because he was the regular nominee. But two had been won over by the Hunkers and two were very uncertain. It was feared that Free Soil support for Hamlin would drive them over to Hunkerdom. There were five Free Soil Senators. Two were ready to aid in electing Hamlin. A third, an elderly Senator, Ozias Blanchard, of Blanchard, was undecided what to do. General Fessenden, the candidate of the Free Soilers, had no chance of election. He sympathized with Mr. Hamlin as a man persecuted by the slave power and used his influence with Blanchard to induce him to vote for Hamlin. Joshua R. Giddings and Neal Dow also labored with Blanchard and he promised to vote for Hamlin. In the House, too, a sufficient number of Free Soilers had been gained.

The arrangement with the Free Soilers was kept secret until the moment of balloting. They had agreed to secure the election of Hamlin if just before a vote Blanchard should tell them that the time was come by drawing a ballot from his left side pocket. The signal was made. Blanchard and Allen, of Industry, voted for Hamlin, as did the Democrats whose desertion was feared, one Free Soiler threw a blank ballot, and two did not vote; twenty-nine ballots had been cast. Fifteen of the votes were for Hannibal Hamlin and he was elected.

Shortly after the election of Hamlin, the gubernatorial campaign began. The Democrats renominated Governor Hubbard; the Whigs nominated William G. Crosby, of Belfast, in whom, according to a letter to the *Whig,* ability, integrity, general fitness and availability were "happily combined."

When election day came, Governor Hubbard was chosen by a small majority. The vote stood: Hubbard 41,203, Crosby 32,120, Talbot (Free Soil) 7,267, scattering 75. At the same time a constitutional amendment was passed, making the political year begin as formerly in January and prolonging the term of office of the Governor and Legislature chosen in the summer of 1850, to January, 1853. The change of 1844 had not resulted

in shortening the sessions, as was hoped, a spring and summer meeting was inconvenient for the farmers, who made up the majority of the Legislature, and the return to winter sessions was carried by a large majority.

The year 1851 was a quiet one politically, both in Maine and in the nation. There was no Governor to elect, and there was now a reaction from the fierce struggle over slavery, and a readiness to acquiesce in the compromise, even among many who had opposed it. There was indeed a serious difference of opinion in regard to the fugitive slave act. The *Democratic Clarion,* of Skowhegan, said of it: "Humanity sickens at the picture, and we turn away from the operations of the law with very loathing, and pronounce it a foul stain upon our statute book." Some who accepted the other parts of the compromise made a reservation in regard to this law. The *Jeffersonian, Age,* Saco *Democrat,* Oxford *Democrat,* Belfast *Journal,* even the *Argus,* objected to making the maintenance of the act unchanged a test of party feality.

The attention of politicians was turning toward the selection of a candidate for the presidential campaign of the ensuing year. There was a strong demand among the New England Democrats that the choice should be made from one of their number, and the New Hampshire Democrats declared in favor of the nomination of their fellow-citizen, Levi Woodbury, who had been an aspirant for the office for many years. Thomas H. Benton, Hannibal Hamlin and other Democrats who were opposed to slavery extension, joined in a carefully planned effort to secure his nomination. They believed that his record as an old Jacksonian would gain the support of the Southern Democrats, but that he could be relied upon to veto any measures for the extension of slavery. Benton wrote a eulogistic article on Woodbury, describing him as the rock of New England Democracy, and sent it to Hamlin, who arranged for its publication in various Maine newspapers. Woodbury's friends believed that his chances of success were good, but their hopes were disappointed, and their plans to put the Jackson Democrats once more in control of the party disarranged by his sudden death.

There were three principal candidates for the Whig nomination—President Fillmore, whose strength was in the South; Mr. Webster, who was supported by the greater part of New England; and General Scott, who was the candidate of the anti-compromise Whigs and of the availability men. The Whig papers in Maine were inclined to support General Scott. Anti-slavery was strong in Maine, and the people of the State had not forgiven Mr. Webster for the Ashburton treaty. On matters of policy the Whigs of the Union were even more seriously divided than on the question of a candidate. The South demanded an endorsement of the compromise. The "Conscience Whigs" of the North were utterly opposed to anything of the kind. The Kennebec *Journal* objected to "sectional tests." "Let the compromise of 1850," it said, "take its place in silence beside its antique namesakes of 1820 and 1833."[1] A little later the *Journal* said:

[1]Kennebec *Journal,* Jan. 19, 1852.

"And so it becomes a question solely for Southern Whigs to decide whether or not we shall have a Whig President at the next election. If they insist upon incorporating this test (approval of the compromise) into the code of the Whig party, then it is inevitable that the Whig party is sundered and defeated. And what is worse than that, it is equally inevitable that a great sectional party will rise upon its ruins."

The friends of the compromise, the Silver Greys, were not, however, inactive in Maine. They made an earnest attempt in Portland, led by John A. Poor and R. A. L. Codman to elect delegates to the district and State conventions, but their candidates were defeated and a resolution praising Webster was voted down.

Undiscouraged by their failure, the Silver Greys held a great meeting at Portland which was addressed by out-of-State speakers and by some leading Portland citizens. Mr. Poor said that he saw many faces from other parts of the State, to which he wished to extend the hand of friendship, which caused the *Argus* to remark that the only way to do it would be to pull their noses. The meeting passed resolutions against sending only opponents of the nomination of Fillmore or Webster to the National convention, and stated that they opposed all measures calculated to divide by the introduction of personal prejudices or sectional issues, and they called on their delegates in the district and the State convention to resist the pledging of the National delegates to the support of one particular candidate over all others.

The State convention, however, endorsed Scott, and elected George Evans and William Pitt Fessenden delegates-at-large. For Governor, they nominated William G. Crosby, of Belfast. Mr. Crosby was a Whig of the highest type, a refined and cultured gentleman of excellent moral character, conservative by nature, desirous of improvement but only if it could be obtained without agitation, disorder, and interference with vested rights. He had been secretary of the State Board of Education, an office corresponding roughly with that of superintendent of schools today, and had shown himself a zealous and valuable officer.

The National convention met on June 16. Fifty-two ballots were taken without result. On the fifty-third, General Scott was nominated by a small majority. The contest had been bitter and hard fought, as well as long. The first vote stood, Fillmore 133, Scott 131, Webster 29, and until the fiftieth ballot there was but little alteration. Many of the Fillmore men were well disposed to Webster, but hesitated to change, fearing that enough Southern votes would be transferred to Scott to give him the nomination. It was calculated that if the Free State delegates could muster 41 votes for Webster, 106 Fillmore men would come to the support of the New Englander and he would be nominated. Had the Maine delegation been willing to vote for him, probably enough New Yorkers would have joined them to secure Webster the long-coveted prize. The Maine delegates were

plied with the most earnest entreaties, but not one would yield. William Pitt Fessenden, on his return, said in a speech at Portland that they did not feel justified in abandoning Scott (for whom they had been instructed), but Mr. Webster's friends laid the blame on Mr. Evans, who was the leader of the Maine delegation. It is said that he had desired to succeed Justice Woodbury on the Supreme Bench, and that when Curtis, of Boston, was appointed, the defeated candidate believed that Mr. Webster was responsible, and now took revenge.[3] The New York *Courier and Enquirer* declared, "Never was malignity and hatred made more manifest than in the manner which the delegation from Maine proclaimed their vote."[4]

Though Maine was pleased with the candidate, she was greatly dissatisfied with the platform. When Southern delegates left Fillmore for Scott, they exacted a pledge that the compromise of 1850, including the fugitive slave law, should be accepted, its strict enforcement insisted on, and that agitation should be deprecated and a promise given to discourage it everywhere. Such a bargain was gall and wormwood to the anti-slavery men. William Pitt Fessenden, who was on the Committee on Resolutions, fought it both in the committee and the convention. He wished the Whigs to follow the precedents of 1840 and 1848 and go into the fight with a soldier for a candidate and no principles to encumber them. But the South insisted on its pound of flesh, and the resolution was adopted by a vote of 212 to 70.

The Democratic convention was also much divided on the subject of a candidate. Forty-eight ballots were taken without result. On the forty-ninth the convention "broke" to Franklin Pierce, of New Hampshire, a dark horse whose nomination, however, like that of most dark horses, was the result of careful planning and strategy. One of the principal contrivers was Senator Bradbury, of Maine, "a college mate and lifelong friend of Pierce."[4]

The reception of the nomination of Pierce was not unlike that of Polk. The *Whig* asked, "Who in all the great West, who in the South, who among the mountains and plains, has read of or heard of Frank Pierce, of New Hampshire?" The *Argus* praised Pierce and declared that the rush of the followers of the great men to unite upon him proved that he was no common man. The campaign both in the State and the Nation was somewhat listless and was marred by personalities. In February, before the Whigs had chosen their standard-bearer, the *Argus* had assailed their leaders, paying particular attention to Webster. "We will not," it said, "draw the veil from his too well-known private life—at least not at present." It accused him of aristocratic principles, of receiving large salaries as Senator

[3]Rev. A. V. Bliss, a son of the late Charles E. Bliss, of Bangor, for years an enthusiastic student of Webster, states that Evans wished to be minister to England when Edward Everett was appointed to that position by Tyler and that he blamed Webster, then Secretary of State, for his disappointment.

[4]Quoted in *Argus*, June 8, 1852.

[4]*Whig*, June 9, 1852.

and Secretary of State, but of never having enough. "The masses may honor his unquestionable talents—so might they those of the archangel who fell[5]—but they would never dare trust either of them with the high interests of the country. They must have a man who with commanding ability, shall be like Caesar's wife, 'without suspicion.' "

The *Argus* said that if Fillmore should be nominated he would be defeated by the corruption of his administration, and that Scott would be an automaton President. After Scott's nomination an effort was made to stir up the Irish and other Catholics against him. The *Argus* quoted from a letter in which he had said that the Cardinals in a papal election were accustomed to vote first for themselves and then for the most superannuated, in the hope that there would soon be another papal vacancy and they would have another opportunity of grasping at the tiara. The *Argus* also spoke of Scott's violent temper and of his making charges against officers which were not sustained, and revived the story of his quarrels with De Witt Clinton and Jackson. Scott's vanity was notorious and the *Argus* remarked that in his short letter of acceptance "I" occurred fourteen times.

The Whigs replied that the men who attacked Scott defamed Harrison; and by implication at least they accused Pierce of intemperance, incapacity, and cowardice. They declared that an allegation that Scott had issued an order against enlisting foreigners was a lie, and that by his threats of retaliation, backed up by preparatory measures for carrying them into effect, he had saved the lives of twenty-three Irish soldiers whom the English had captured in the War of 1812 and were going to hang as traitors. They pointed out that New Hampshire, Pierce's own State, excluded Catholics from various offices. They also reminded the voters that Pierce's father had approved of the Alien and Sedition laws. The *Advertiser* criticised Pierce for voting against appropriations for certain internal improvements. The *Argus* replied that Pierce had approved of them all, but that they were in a bad bill, and that the Democrats favored internal improvements which were of general benefit.

Scott's supporters praised him for settling the Maine boundary question. The *Argus* answered that the people had not yet forgotten the territory Maine had lost under the Whigs. The tariff was also brought into the campaign. The Democrats declared that the tariff of 1846 was better for Maine shipowners than that of 1842. The Barnburners had come back to the Democratic party and John Van Buren, and John A. Dix, the Free Soil candidate for Governor of New York in 1848, spoke at a Pierce meet-

[5]Had the editor in mind Whittier's lines:

"Of all we loved and honored
Naught save power remains,
A fallen angel's pride of thought
Still strong in chains."

ing in August. All the signs pointed to a victory for the Democrats, and the election justified their utmost hopes. Pierce carried Maine, having 9,000 majority over Scott, and swept the country, only four States, Vermont, Massachusetts, Kentucky and Tennessee, voting for the Whig candidate.

The Whig papers in Maine took their overthrow calmly. The *Advertiser* said: "Our candidate is not responsible for our defeat. He has suffered from a division in the party which must have insured the defeat of any candidate nominated by the same convention with the same platform." As a wag put it, the coroner's verdict on the defunct Whig party was "died of an attempt to swallow the fugitive slave law." The *Advertiser* counselled the Whigs to stand firm, to resist the extension of slavery, but not to meddle with it where it existed. The Bangor *Whig* showed little disappointment. It said that the leading locos had killed each other off and then all had united on Pierce, who was known to be ready to follow the South. Such was not the case with Scott, but his friends allowed supporters of the other candidates to shape the issues, and thereby cooled many without securing the active co-operation of those who differed from them. It also said: "The doctrine of intervention (in behalf of Hungary) in one direction, free trade in another, and money in others, have all united with disaffected Whigs of every caste, whether from general or local causes, and all have gone in a body for Pierce. His party today is the most incongruous that was ever combined in this country."

The campaign of 1852 was the last National one made by the Whigs. They had been organized to deal with issues most of which were now settled for the time being or obsolete; they lacked the insight and courage necessary to meet the new questions which were dividing the country, and the prophecy of the Bangor *Whig* that the demand of the South for the acceptance of the compromise would mean the destruction of the Whigs and the rise of a great sectional party in their place was quickly fulfilled.

The year that witnessed the passing of the Whigs as a National party was fittingly marked by the deaths of their two great leaders. When Clay secured the passing of the compromise of 1850 his work was done. He returned to the capital, but took little part in legislation, his strength failed, and he died at a Washington hotel in May, 1852. Daniel Webster continued his advocacy of the compromise and his work as Secretary of State to the last. But he was bitterly disappointed by his failure to obtain even a respectable support in the Whig convention of 1852; he highly disapproved of the refusal of his old party to enthusiastically support the compromise, and in September he died at his home in Marshfield, oppressed by a sense of failure.

High honors were paid in Maine and throughout the country to the memory of Clay and of Webster. Old opponents joined in the tribute the more readily since they had approved the public conduct of the dead states-

men during the closing period of their lives. Old friends pronounced their eulogies, but often these were less cordial than they would have been had not the speakers felt that the men they praised had at the last failed to answer with the best that was in them. The *Advertiser,* however, though disapproving of the compromise, said of Clay that when engaged in the advocacy of the numerous important measures he proposed he avoided partisanship, and "invariably addressed his strongest appeals to the noblest feelings of our nature. . . . Many a year and age will pass away before the world looks upon his like again."

The year was also marked by another death of interest to the State, though not to the Nation, that of William King, the first Governor of Maine.

In a presidential year, the campaign for Governor usually plays but a small part, but in 1852 it was fiercely fought and aroused great, perhaps equal, interest. It was the custom, if one party remained in power, for the Governor to serve for three terms, the second and third nominations were little more than a form, and to avoid the trouble and expense of a State convention they were made by a legislative caucus. There was much feeling between the Hunker and the Hamlin wings of the Democracy, but at first it seemed that the former would agree, for a price, to the renomination of the Governor. On January 26, 1852, the *Whig* said that probably " . . . the Wild Cats, upon promise not to kill Governor Hubbard, will be allowed to sweep the cupboard of all else it contains. The seeming outside advantage of form will be taken by Speaker Sewall and his drive (the Hamlin men) as ample consideration for the substance."

But the treaty failed. It may be that Hamlin's supporters were less ready to efface themselves than the *Whig* supposed, and the opposition to Hubbard was very bitter. He had given great offense to certain old politicians by some of his appointments and by what his friends described as a refusal to let them plunder the treasury. He had, moreover, signed the prohibitory law of 1851, had presided at a temperance convention at Augusta, and had made a speech praising the law, acts which the opponents of the new liquor legislation found it hard to forgive. Owing to the amendment of the constitution changing the beginning of the political year, Hubbard would, in January, 1853, have served parts of three years, that is, from May, 1850, to January, 1853, or two years and eight months and the Hunkers claimed that he would substantially have had his three years. They therefore demanded that the State committee issue a call for a convention, but the committee refused to do so. A legislative caucus was held which renominated Governor Hubbard. The Hunkers thereupon "withdrew from the caucus . . . amidst the derisive caterwauling of the Hamlin wing."

But the anti-Maine Law men were seriously considering an organized bolt, and the Democratic papers assailed them, not with caterwauling, but

with arguments and entreaties. The Belfast *Republican-Journal* urged that Hubbard might have doubted both the wisdom and the constitutionality of the prohibitory law, but that a doubt was no reason for vetoing it, and that its constitutionality was a question for the courts. As to his speech to the convention, if he thought the law worked well there was no reason that he should not say so. The *Journal* pointed out that it was not merely the governorship which was at issue, but that the defeat of Hubbard would help elect Scott. The article was copied by the Bath *Times* and the Bangor *Jeffersonian*. The *Argus* repeated its substance when Hubbard was nominated and said: "It is not the Governor alone that would be risked, but the House of Representatives—the subordinate State and county officers—the United States Senator (Senator Bradbury's term expired March 4)—and even the next *presidency*. All these might be lost by the defeat of our candidate for Governor, some of them certainly."

The appeal to party loyalty, however, failed to move the Hunkers and they held a convention and nominated an independent candidate for Governor, Anson G. Chandler, a son of Gen. John Chandler.

The friends of Governor Hubbard spoke as partisans when arguing with disaffected Democrats, but they promptly called on temperance Free Soilers and Whigs to break party ties for the sake of principle and come to the help of a man wounded in the house of his friends because of his service to the cause of temperance. The cry was not unheeded. The Gardiner *Fountain*, a temperance paper, Ezekiel Holmes, the Free Soil candidate for Governor, and Elder Peck, a clerical champion of temperance and anti-slavery, announced their intention of supporting Hubbard.

The Whigs, who had renominated Governor Crosby, did their best to stop the rush of temperance men to the Hubbard camp. They accused the *Fountain* of precipitancy and injustice in enlisting under the Hubbard flag before it knew whom the Whigs would nominate. The Bangor *Whig* declared that the Governor could not be considered a shining light in the temperance cause, "either by personal habits or vigorous advocacy," that his services "consisted only in signing the prohibitory bill under circumstances which, according to his friends would, if he had the spirit of a man, permit him to do nothing else, and in presiding for a short time for political effect over a temperance convention." The *People's Press*, of Skowhegan, went further in personal assault, declaring that the people of the town were too near to Moosehead Lake to vote for Hubbard as a temperance man, the proposition was ridiculous.

At the election, as must have been foreseen, there was no choice for Governor. The official vote stood, Hubbard 41,999, Crosby 29,127, Chandler, 21,774, Holmes (Free Soil) 1,617, scattering 157.

Not only was there no choice by the people, but the Legislature was so divided that when they met the public was uncertain which candidate would win. A secret deal, however, had been made between Crosby and

the Whigs on the one part and the Wild Cats on the other. Senator Bradbury's term would expire on the 4th of March. If Hubbard should be chosen either Governor or Senator it would probably be regarded at the White House as proof that the Hubbard men were the true Democrats, they would receive all the patronage, and the poor Cats would be left to starve in outer darkness. As usual, there were vacancies in the Maine Senate, which the Representatives and such Senators as had been elected must fill. It was agreed that the Cats should help the Whigs to obtain a clear majority in the Senate and so secure the election of Mr. Crosby. In return the Whigs pledged themselves, if the split in the Democratic party should continue, to vote for the Wild Cat candidate for Senator, who would probably be ex-Governor Dana.

There had been a Hubbard and a Chandler senatorial ticket in Cumberland county. Each had succeeded in returning two constitutional candidates. The legislative convention was Democratic, but the temperance Whigs and Democrats agreed to vote for two Whigs and the Hubbard men, to fill the vacancies from Cumberland, presumably the Cats also voted for Whigs, and the result was that the temperance Whig alliance was successful. Democratic votes also elected two Whigs from Waldo. A third senatorial vacancy from that county and one from Hancock were, however, filled by Democrats. The Cats had kept their word. The Whigs had eighteen men in the Senate and the Democrats fifteen.

It was then the duty of the House to choose two from the four highest candidates for Governor, one of whom would be elected by the Senate. Mr. Tabor, of Houlton, a Wild Cat, said that the House was Democratic, that it would be suicidal to saddle the State with a Whig Governor, and that the names of the two Democrats, Chandler and Hubbard, should be sent to the Senate. But the anti-slavery men were determined not to run the risk of the election of Chandler. One of their leaders, Sewall, of Old Town, replied that he was glad to hear that there was a Democratic majority in the House, though the events of the last two days would seem to throw doubt on the fact. He thought it but fair that Hubbard and Crosby, the opposing candidates of the two great parties, should preserve their leadership, if Governor Hubbard should be defeated at the other end of the capital, the responsibility must rest on those who had brought it about by electing Whigs to fill senatorial vacancies.

The Whigs had a clear majority in the Senate, yet Crosby's election was not secure. In a letter concerning the bargain with the Wild Cats, written by him before the meeting of the Legislature, he said that he believed that all the Whig Senators would vote for him in preference to Hubbard, but that some doubt had been expressed in regard as to what Tucker, of Kennebec, and Muzzy, of Penobscot, would do. When the test came, Tucker stood by his party, but Muzzy, who was a strong prohibitory law man, voted for Hubbard. Two other Whig Senators voted for

Hubbard for the same reason. This desertion would have been fatal to the Whig candidate had not two Senators from Oxford, ex-Governor Dana's county, who resented the defeat of a plan to make Mr. Dana United States Senator, and who had been opposed by Hubbard men after their nomination,[6] taken their revenge by supporting Crosby, and so electing him Governor. The Democrats, however, had not voted for Crosby without some present solid reward, as well as the pleasure of defeating Hubbard, and the promise of help in the senatorial contest. They obtained a majority in the Council, which was made up of four Hunker Democrats and three Whigs. The Governor could not appoint any man without the assent of his Council, and the majority of the Council was Hunker.

The Governor had been elected, but it proved impossible to choose a Senator. Mr. Bradbury had declined being a candidate for re-election. He had been zealous and successful in promoting legislation for the benefit of his constituents and had obtained the payment of interest on the Maine claims for expenses in the "Aroostook War." The Bangor *Whig* said: "As the Honorable Senator retires to private life let us wish him nothing worse than that the people will never again disturb the dignity of his repose, nor vex him with solicitations to again assume the labors of public life, and thanking him for the watchful care he has had for the interests of our State, and not maliciously remembering the political sins he has committed, let us resolve to fill his place for many generations with an able and honest Whig. So mote it be."[7]

When the first ballot was taken for United States Senator, the Whig Senate named William Pitt Fessenden, the Democrats voting for Nathan Clifford. The Democratic House named ex-Governor Dana. Neither would yield, and finally the Legislature adjourned with the deadlock unbroken.

There was a sharp struggle for the appointive as well as for the elective offices. Maine Democrats rushed to Washington to greet their new President and claim a part of the spoils. In a Washington letter which appeared in the *Argus* on March 9, a correspondent said: "I wrote you some time ago that two hundred fighting men were expected here from Maine. I did your gallant and patriotic people an injustice. At the call of their country they have sent a full regiment, headed by three ex-Governors, with the ranks filled with ex-members of the Legislature, over whom ex-presidents of the Senate exercise discipline as sergeants, assisted by ex-Speakers as corporals."

A week later another letter announced that "The 'outside barbarians' from Maine, together with the Congressional delegations, have been in council in order to adjust claims for offices in Maine. There is a split, which it is attempted to get over by assigning the Penobscot river to Senator

[6] The Hubbard supporters denied the regularity of the nomination.
[7] *Whig*, Feb. 17, 1853.

Hamlin, as his share, and leaving the balance of the State clear for the other section."

There was a Democratic "split" not only in Maine but throughout the North. Were men who favored the Wilmot proviso and even those who supported Van Buren in 1848, but who had loyally rallied to the Pierce banner, to be considered Democrats in good and regular standing or should they be treated as weak brethren who had lapsed from the faith and must do penance by abstaining from the sweets of office. President Pierce began his term with an earnest wish to reunite the party by liberal treatment of the anti-slavery wing. In Maine the Hamlin-Hubbard men could claim to be regular and they obtained the greater share of the offices. Ex-Governor Hubbard, to the extreme disgust of some of the old politicians, received that choice plum, the consulship at Rio Janeiro,[1] succeeding ex-Governor Kent, who had himself succeeded would-be Governor Parks. The Banbor *Mercury* declared that the only Hunker appointed in Maine was Editor Haynes of the *Democrat*. He was made postmaster, in order, said the *Mercury,* to prevent his attacking the appointments. Kingsbury of the *Argus,* however, who was Hunkerishly inclined, was made inspector of the customs in Portland, and there were doubtless other Hunker appointments in the State. Moreover, ex-Governor Anderson received a good place at Washington, being made commissioner of customs. But the old guard was disappointed and sore. A number of them had purchased a fine new chaise to present to Mr. Pierce, but they were so angry at his distribution of offices that they decided that he was not worthy of the carriage and finally gave it to Hastings Strickland of Bangor.

The President, however, was anxious to be on good terms with the pro-slavery men. Ephraim K. Smart of Belfast wished to be the collector of customs there and had the endorsement of all the Maine Democrats in Congress but one. But he had voted for the Wilmot proviso and Pierce refused to appoint him. Smart wrote a frank letter to the President. He admitted that he had voted for the proviso but said that he believed that all who joined in support of the Baltimore platform should be accorded recognition, that at his last election Whigs and Abolitionists voted against him and that some of the self-styled "national Democrats" who now assailed him voted with them. "But, let me ask you," he said, "if gentlemen who acted faithfully with the Democratic party in the late presidential canvass, who are wedded to the cause of Democracy, both in feeling and opinion, are to be rejected on the only ground which can be urged against me, whether in your opinion, the Democratic party can be assured of a majority in a single New England State, or even in the Middle States?"[2]

On the other hand, the President could be firm in disciplining pro-

[1] He is said, however, to have earnestly sought the consulship at Liverpool, but this very lucrative position went to Nathaniel Hawthorne, the college friend and campaign biographer of President Pierce.

[2] W. *Argus,* Aug. 9, 1853.

slavery men. The Hunkers of New York had seceded from the State convention claiming unfair treatment. The collector and naval officer of the port of New York sided with them, and the collector insisted on confining his appointments to Hunkers. Mr. Guthrie, the Secretary of the Treasury, removed both the collector and the naval officer.

The *Argus,* notwithstanding its zeal for regular nominations, promptly expressed its disapproval. It said: "In this State the policy of reconciliation is undoubtedly popular. It is the only policy upon which the Democratic party can live and triumph. With any other policy we could not have carried the State for General Pierce. With any other policy we cannot restore the State to Democratic hands." Events had doubtless impressed the *Argus* with the desperate need of reconciliation. When this editorial was written, the Democratic party had again split in two and again there had been no election for Governor.

The Whigs had, in accordance with custom, renominated Governor Crosby. The Bangor *Whig* said, "Governor Crosby adorns the office by a highly cultivated intellect, by ripe scholarship, and with a heart which knows no guile." Had the *Whig* been aware of Governor Crosby's part in the trade with the Hunkers, the preceding winter, it might have omitted the last clause.

The Democrats found much more difficulty in choosing a leader. Their convention was held in Bangor in a mammoth tent hired from Boston for the occasion. The Hunkers and anti-prohibitionists were in control. It is said that they had spared no effort to elect delegates, while their opponents remained quiet, being willing to let them carry the convention and "break their own necks." There were four candidates,—Shepherd Cary, John Hodsdon, W. B. S. Moore and Eben F. Pillsbury of Machias. The latter gentleman had a good lead on the first and second ballots and was nominated on the third. The convention resolved that it sincerely rejoiced in the Compromise of 1850, praised the administration in general terms, and declared it a duty to support regular nominations. It also resolved that a legislative caucus had no right to nominate, and that in future the State committee should call a convention and decide all contests, subject to the approval of the convention itself. There was the usual convention joyousness. According to the *Whig,* Pillsbury "received his visitors in his liquor-spread room," and Major Strickland gave "the next Governor of Maine" a ride in the "President's chaise."

Although the nomination of Pillsbury was a Hunker victory, he was little known and attempts were made to represent him as a compromise candidate.[10] The convention made no mention of the prohibitory law, the *Argus* explained that it was not a political question, and also urged that the

[10]Pillsbury had been more discreet in his opposition to the prohibitory law than Cary. Hodsdon was the candidate of those conservatives who most inclined toward prohibition.

friends of the law wished no change at present and that probably there would be no occasion for Pillsbury to take any action in the matter. The *Argus* denied that the convention was made up of the bolters of the year before; these men, it said, were in a decided minority.

The strongly anti-slavery and "temperance" Democrats were not to be won, however. They followed the example of the Hunkers when they were beaten the year before, held a mass convention at Portland and nominated an independent candidate. The gentleman chosen was Anson P. Morrill of Readfield.

Mr. Morrill was a brother of Lot M. Morrill, one of the leaders of the anti-slavery Democrats. He had been land agent from 1850 to 1854 and subsequently served a term in Congress.

As in the preceding election, when the ballots were counted, the regular Democratic candidate led but failed to obtain a majority. The official vote stood, Pillsbury 36,386, Crosby 27,061, Morrill 11,027, Holmes (Free Soil) 8,996 scattering 157.

The Legislature that met in January 1854, had to solve a problem like that of the preceding year, to choose one of three candidates, all strongly supported, but none of whom could be elected by his own followers alone. The situation was further complicated by the fact that the Governor and Council had reported that only thirteen Senators, less than a quorum, had been elected by the people.

Seven of the thirteen were Pillsbury men, three were Whigs, two were Free Soilers, and one was a Morrill Democrat. When the Senate met it ascertained the vacancies and reported the constitutional candidates in Waldo and Cumberland counties. These were all "Wild Cats." It was said that the Democrats planned when they had obtained a quorum and a majority by the choice of some of these men, to organize the Senate, pass on elections in such a way as to give them a firm majority, then refuse to elect a Governor unless the House should send up the names of such candidates as they desired. The President of the Senate whom they would elect would meanwhile be acting Governor and they thought that they could distribute the spoils and get along without a Council. The House, however, met this move by refusing to go into joint convention for filling a part of the vacancies. The Coalitionists claimed that there was no Senate and that the House could call a joint convention of the Representatives and of the Senators elect and fill the vacancies. After considerable delay the House submitted various questions bearing on the matter to the Supreme Court. The replies were a disappointment to both parties. Some of the cherished contentions of the Coalitionists were declared incorrect, but the practical question, that of the legal method of filling the vacancies, was decided against the "Wild Cats." The Court stated that a minority might organize and exercise all the powers of the Senate for filling vacancies. By such a construction, said the Court, "there may be a compliance with

every requirement of the Constitution, and a constitutional government at all times be secured; without such a construction there can be no compliance and no such security. And without such a construction occasions may frequently occur which will prevent the organization of the constitutional government without the exercise of power not conferred upon it by some branch of the government, or without an organization of the government from necessity." The right of the House to hold a convention with a minority of the elected Senators, the others being duly notified, was denied.

The Court, however, stated that the Constitution contemplated the declaring of all the vacancies before the filling of any, and the filling of all the vacancies at the same time but added that a different course could be taken should both houses assent. The Court also decided that a Senator chosen by a convention could not vote in a subsequent convention held for the purpose of filling vacancies that existed on the first Wednesday in January. The opinion was signed by Justices Shepley, Tenney, Wells, Howard, Hathaway and Appleton. Justice Appleton, however, stated that while he agreed that less than a majority of the Senate might perform all acts necessary to complete the Senatorial board, he did "not concur to the full extent of powers indicated in the opinion," Justice Rice, who had been unable to meet with the judges, dissented from an important part of the opinion. He believed that the Constitution contemplated a convention for filling a part of the vacancies, that the House had no right to refuse to go into such a convention, and that a Senator elected by it could vote in subsequent conventions.

The Senate thereupon reported the vacancies and the constitutional candidates. In the House the Whigs, Free Soilers, and Morrill Democrats had united and elected Noah Smith of Calais, a Free Soil and Prohibition Whig, Speaker, and John J. Perry, a Morrill Democrat, Clerk. They also elected from the constitutional candidates for the Senate men who were expected to vote for Morrill for Governor and William Pitt Fessenden for United States Senator, provided, of course, that such men were available.

Thus far the coalition had been entirely successful, but it now met with a serious defeat. Neal Dow says in his "Reminiscences": "Unquestionably a majority of the Whigs in that body, left to their own inclination and judgment, would have preferred to vote for Mr. Morrill. But the United States Senatorship was yet to be decided and was sure to be affected by the course of the Whig Senators on the Governorship. On the one hand, it was feared that if Morrill was not made Governor, his friends could not be relied upon to support Mr. Fessenden for the Senate. On the other hand, it was known that some Whigs would bolt as to the Senatorship if their nominee for Governor was beaten by the votes of Whig Senators."

In this dilemma the Whig leaders concluded that the path of safety was to be found in party consistency. Consequently they brought great

pressure to bear upon those Whig Senators who were thought to incline toward Morrill to keep them in the party fold. Some Whigs were in the Senate through the assistance at the polls of the Morrill Democrats under the promise, express or implied, that if necessary to elect him they would vote for the candidate of the Maine Law Democracy. Upon these, of course, the friends of Mr. Morrill relied. But, shortly before the Senate was to vote, one Whig Senator, who had been depended upon to vote for Morrill, was called into the lobby, where he was labored with an entire hour by a coterie of leading Whigs, who finally secured through his pledge the one vote needed to elect Crosby. Then the Senate, having patiently awaited that proselyting process, proceeded to the choice of a Governor. Nine regular Democrats and seven Whigs, sixteen in all, voted for Crosby, and four Whigs, two regular Democrats, and nine Morrill Democrats, fifteen in all, voted for Morrill.

"The result was a profound surprise to everybody present, save the three or four Whigs who had converted their vacillating brother. Commenting upon it, a Portland daily said: "All can rejoice in having defeated something, and that the Maine Law is safe." The regular Democrats were delighted. They were pleased because a "bolter" had been punished; they were sanguine that the backbone of the coalition was broken, and imagined that the "deserters" in the Morrill camp would come home to be forgiven, to be revenged upon the "tricky" Whigs, and to act thereafter with the Democratic party. They were convinced that the Whigs would now be unable to elect Mr. Fessenden to the Senate, and confidently expected the success of their own candidate. The Whig leaders ridiculed these claims publicly, but privately were anxious. The situation was critical and no one, however experienced in political affairs, could foresee what the outcome of the contest would be.

The supporters of Mr. Morrill were very angry at his defeat, and the Democrats, in hopes that he and his followers might be won back, nominated his brother Lot for United States Senator. A. P. Morrill, however, told his friends that though he could not actively oppose his brother he saw no reason why they should not support Fessenden as planned. Some of the Whigs, however, were unwilling to vote for Fessenden because of his anti-slavery views and because his friends had, it was charged, aided the election of Morrill. If they were aware that some of the Morrill men would vote for him they might privately bolt, knowing that he would fail of an election, and as he would receive a number of votes equal to the Whig strength, that their own defection could not be proved. Neal Dow says:

"The practical problem then was how to secure the Morrill votes for Fessenden without letting the Whig malcontents know that he was about to receive them until too late for them to prevent his election.

"It was accomplished in this way: With some publicity, an interview

was arranged between the Morrill Democrats and ex-Governor Hubbard, to give the impression that they were intending to vote for him. The naturalness of such an arrangement gave color to its probability. The Morrill men in the Legislature were in a measure the avengers of Hubbard's wrongs. But for the Democratic liquor-bolt against him there would have been no Democratic temperance-bolt against Pillsbury, and the Morrill men, as such, would not have been in the Legislature. It was reasonable to think that they might vote for Mr. Hubbard, and their support, with that of the regular Democrats, would elect him and thus pave the way for that union and harmony needed for the restoration of the Democracy to its control of the State.

"After this interview the report was circulated that Governor Hubbard had been nominated by the Morrill men, and that there would be no choice on the first ballot. Those in the secret took assiduous care that the report should not be contradicted, lest some of the disaffected Whigs might withhold their votes from Fessenden. Accordingly, ballots were printed for Governor Hubbard and carefully distributed throughout the house just before the hour of balloting arrived. Not a Democrat in the Legislature, and but two Whigs, knew what the Morrill men were to do.

"Mr. Fessenden was one of those. He and his Democratic competitor, Lot M. Morrill, who like himself, was a member of the House, had taken seats in the front, one on each side of the Speaker's desk. The committee collected the votes and retired to count. Its report was to settle the question which had been disturbing the politicians of the State for nearly two years, yet there were not twelve men awaiting that report who supposed that the choice had been effected. The committee came in. Its announcement was awaited and received in dead silence. To the great surprise of almost every one present, it showed the election of Fessenden. Not a word was spoken for nearly a minute, which seemed fully five minutes, so great was the strain, during which not a sound was heard in the crowded assembly.

"Finally, Mr. Morrill rose, and, almost staggering as he walked, so great was his nervous excitement, crossed over to the side of Mr. Fessenden, shook hands with him in the presence of the great crowd which thronged the house, and congratulated him upon his success. The spell thus broken was followed by loud and long-continued applause."[11]

William Pitt Fessenden was the son of General Samuel Fessenden and was born on October 16, 1806, at Boscawen, New Hampshire, where his father had taught school and had studied law with Daniel Webster. Mr. Webster stood godfather to the son of his friend, driving twenty miles on a cold wintry day in order to be present. The boy was given the name of the great Tory minister, William Pitt, who had died that year much admired by the thorough-going Federalists, of whom Samuel Fessenden was one of the most extreme. His son, called by his family and friends not William but Pitt, had much in common with the statesman whose name he bore. Both were men of the strictest personal integrity, austere in manner and admired by most of their followers more than they were loved. Each was skilled in finance; neither was in the full sense of the word a great orator.

[11]Dow, "Reminiscences," 487-494.

In loftiness of character it is probable that the American was the superior. Pitt loved office, not for its emoluments but for the power it gave to accomplish great things. Fessenden found the intense labor of official life almost more than he could bear, while the association with men of lower aims that it involved was most offensive to him. But a defeat for re-election, implying a condemnation by the people he had long and faithfully served, would have been extremely bitter. He was unwilling, also, to leave the field before the battle was won. Yet he often wearied of the contest and felt an earnest desire to return to his home and his garden. He might have said of his Senatorship what Tennyson's Launcelot did of his name of "greatest knight," "Pleasure to have it, none; to lose it, pain."

Like Pitt, Fessenden had a somewhat weak constitution. He "inherited a slender and graceful form from his mother and her sensitive and nervous temperament with a delicate physiognomy." For the first seven years of his life he lived with his grandmother at Fryeburg. Just before attaining the age of twelve he applied for admission to Bowdoin College. The late Chief Justice Appleton stated that he remembered him perfectly and what is not at all surprising, that he had a very youthful appearance. The president of the college advised him to wait a year and he did so. At thirteen he entered Bowdoin but during his first year lived at Gorham though attending exercises with the other students. After completing his college course he studied law, made numerous addresses, was admitted to the bar, practiced in Bridgton, Portland and Bangor, and finally settled down in Portland, forming a partnership with William Willis, the Maine historian and antiquarian, Mr. Willis attending chiefly to the office work and Mr. Fessenden trying the cases. Some of his addresses were probably given rather for the sake of practice in public speaking than for love of his subject. One of his lectures has been described as "A sober treatise on the effect of music on the human mind," but he wrote on the manuscript, "A Speechification Delivered before the Squallacious Society in New Gloucester."

"Of singin', squallin', rantin', roarin',
You never heard so damned a pourin'."

In 1837 he acted as manager of the Whig gubernatorial campaign. During the same year he accompanied Daniel Webster on a trip to Kentucky. In a letter written during the journey he said "that Mr. Webster would never gain popularity by personal intercourse—to strangers he appeared repellant. So far as gaining friends was concerned, Mr. Webster might (as) well if not better have stayed at home and left his fame and public service to speak for him." A similar comment might perhaps be made on Mr. Fessenden's own nature, at least in the latter part of his career.

In 1840 he was elected a Representative in Congress, served one term

with credit and declined a renomination, being much disgusted by the desire for notoriety, and the lack of public spirit at Washington.

Mr. Fessenden represented Portland in the State Legislature in 1832, 1839, 1845, 1846, 1853 and 1854. In 1843, 1845 and 1853 he was the Whig candidate for United States Senator. During his first term at Augusta he earnestly opposed a resolution instructing Senators Holmes and Sprague to vote for a recharter of the United States Bank. His language showed that he possessed at twenty-five the sensitive conscience and sturdy independence of character which nearly forty years later made him break from his party and vote for the acquittal of President Johnson. He said that on national as distinct from merely local questions, "Did I know that the opinions of every one of my constituents differed from my own, if I acted at all I would act according to my own honest convictions of right were it directly in their teeth. Those whom I represent, sir, would despise me if I acted otherwise. No, sir, I might in such a case resign my office, but I would never violate the dictates of my own conscience. I am willing to be the servant of the people, but I will never be their slave."

In 1854 Mr. Fessenden was elected United States Senator and began a career of the highest honor. The veteran journalist, Horace White, says that he had "the most clairvoyant mind, joined to the most sterling character, that the State of Maine ever contributed to the national councils," and that "a more consummate debater or more knightly character and presence has not graced the Senate chamber in my time, if ever."[13] Shortly after he took his seat he made a brief speech against the Kansas-Nebraska bill, meeting Southern threats of disunion with a steady firmness that delighted his Republican colleagues and thrilled the North. A Southerner, who listened to this speech in the Senate, exclaimed in the midst of it, "Why, what a man is this! All his guns are double-shotted." When the control of the Senate passed to the Republicans Mr. Fessenden was elected chairman of the committee on finance which at that time had charge not only of all bills for raising revenue but of the appropriation bills as well. The Civil War made such a position extremely onerous, but Mr. Fessenden discharged its duties most ably and successfully. In 1865 he was made chairman of the joint committee on reconstruction, thus placing on him another heavy responsibility and exposing him to attacks from all sides.

Mr. Fessenden was frequently called a conservative Senator. The term was not incorrect. The son of a radical abolitionist and having the greatest respect and affection for his father, he joined neither the Liberty nor the Free Soil party and was not shaken in his fealty to the Whigs and to Daniel Webster even by the Fugitive Slave Law. It was in perfect consonance with the character of the man that it needed an extreme aggression by the South, the repeal of the time-honored Missouri Compromise, to rouse him to special effort. Terrible in attack when provoked, and he was easily

[13] White, "Trumbull," 324, 83.

stirred, it was noted in the Senate that opposition was needed to bring out his full powers. A colleague after highly praising his intellectual eminence added, "Candor compels me to say that upon any novel and exciting question where the road to success seemed to be through the chances of recklessness and temerity, he did not possess the requisite qualifications for a great party leader. He believed that caution was the parent of safety." He opposed making the greenbacks legal tender and wished to give the Secretary of the Treasury great power of reducing their volume. In small matters, too, he was cautious. He firmly believed in the rule, resist the beginnings, and he looked to the principle involved and the effect of the precedent that would be set rather than to the direct cost and immediate result of a bill.

But Mr. Fessenden showed a firmness and vigor in the maintenance of the Union and of the anti-slavery cause by no means characteristic of what is usually termed conservatism. In the winter of 1860-1861 when many of the Republicans yielded to the cry for compromise and when there were strong reasons for walking softly and *hiding* the big stick, at least until the Republican President had been safely inaugurated, Mr. Fessenden stood firm against all concession. After the war broke out he considered the government deplorably lacking in energy. In his home letters occur such phrases as these:

"The truth is that no man can be found who is equal to this crisis in any branch of the government. If the President had his wife's *will* and would use it rightly, our affairs would look much better." "It is no longer doubtful that General McClellan is utterly unfit for his position—every movement has been a failure. And yet the President will keep him in command, and leave our destiny in his hands. I am at times almost in despair. Well, it cannot be helped. We went in for a rail-splitter and we have got one." "The General is utterly unfit for his position and more than suspected of being a coward—morally and physically. Seward's vanity and folly, and Lincoln's weakness and obstinancy, have not yet quite ruined us, but I fear they will." "I saw a letter this morning written in good English by the King of Siam to Admiral Foote, which had more good sense in it, and a better comprehension of our troubles, I do verily believe, than *Abe* has had from the beginning. But it's of no use to scold."[13]

Although a legalist by nature, Mr. Fessenden defended the numerous arbitrary arrests made by the government and brought forward the somewhat startling argument that the President unlike all other officers had not sworn to obey the Constitution but only to preserve, protect and defend it, which he might do by illegal acts. Here Mr. Fessenden was surely radical enough to please even Stevens and Sumner.

Mr. Fessenden was pre-eminently a business Senator. When he first entered the House he spoke with contempt of the set speeches and the

[13]Further acquaintance with the President caused Mr. Fessenden to modify his views.

striving for popular applause in which so many Congressmen indulged. His position in the Senate after 1861, as Chairman of the Committee on Finance, made him responsible for the passage of a vast amount of legislation and increased his distaste for mere talk. Mr. Sumner thought of the Senate as a great sounding-board by whose aid he might proclaim his views and theories to the country; Mr. Fessenden regarded it as a law-making body whose duty it was to pass proper bills, that the enormous business of the nation might be done. For facilitating this work he was peculiarly well equipped. He had knowledge, industry, great power of analysis and of clear, logical exposition. Stephen A. Douglas, in discussing the eminent Americans he had known, is reported to have said, "Henry Clay was the most fascinating and Daniel Webster the most powerful orator; John C. Calhoun was the logician of the Senate, but William Pitt Fessenden is imcomparably the readiest and ablest debater I have ever known."

Mr. Fessenden was abnormally keen in detecting anything like sophistry. He hated it with the hate of an absolutely honest man and he exposed it ruthlessly. In the eulogies pronounced in Congress after his death three Senators compared his nerves, his intellect, or his sarcasm, to a sword of finest temper. Such a man must often give offense and in Mr. Fessenden's case his manner reinforced his words. His language might be confined within the strict limits of parliamentary decorum when his face and bearing showed a contempt for what seemed to him the unworthy conduct of his opponent which could not fail to wound deeply. Sometimes he was unjust, mistaking for charlatanry or deceit what was a mere personal peculiarity or a sincere belief.

Outside the Senate too he was accused of ill temper. On this charge the verdict must be guilty with extenuating circumstances. Mr. Fessenden suffered from a painful disease; he was not strong, he was overburdened with work and he had "no patience for humbug and no tolerance for bores," and "deemed his time too valuable to be wasted on dunces and office beggars."

Another accusation frequently brought against him was that he was haughty and cold. He certainly had both dignity and pride. He was extremely careful of his dress and has been described as the trimmest figure in the Senate. John R. French, the sergeant-at-arms of the Senate, said, "He bore himself with graceful ease but as he warmed with his subject and took fire at the interruptions and responses of his opponents, then that head which was usually inclined slightly forward was proudly thrown back, and he carried himself with an imperial bearing which attested the royalty of his nature." George W. Julian said in his "Political Recollections," "There was a sort of majesty in the appearance and brow of Fessenden when he addressed the Senate." A colleague once expressed surprise that in discussing legal questions Mr. Fessenden so seldom referred to authorities. "His reply was that he had been a close student for twenty years

while in the practice of law, and if his matured opinions could not stand upon their own merits they were not worth supporting."

But his coldness was the reserve of the man who scorns to wear his heart upon his sleeve, and his pride the independence of one who shows to the world the face which the world shows him. In a letter written after he had heard of the safety of a son concerning whom he had been very anxious, he said, "Then I was rebelling against Providence—now I am profoundly thankful to a merciful God. Tears of penitence and joy fill my eyes as I write. Such is my nature. Suffering hardens me. Kindness softens, and makes me grateful, and therefore, better."

He was devoted to his wife and children and to them was demonstratively affectionate. He would oppose a bill for the benefit of a worthy person or institution if its passage would establish a bad precedent, but he was generous with his private means and moved by the suffering of the army. In January, 1863, he wrote, "Many of our poor soldiers have not had a dime for months. Hard, isn't it? I would be content to borrow and mortgage my house, if that would help them. Nobody can blame them for deserting. I am heartsick when I think of the miserable mismanagement in our army."

Though many thought him cold and haughty there were others who could discriminate between the inner and the outer man. A rhymed description of members of the Fortieth Congress says of him:

"Cold in his temper and of icy glow,
He shines like his Katahdin crowned with snow,
No smiles or blushes leave their genial trace
Upon his Norman, frigid, thoughtful face.

* * * * * *

"Though seeming strange, the truth must be confessed
That fervid elements control his breast,
Like fires which in volcanic mountains glow,
Whose summits glisten with eternal snow."

The New York *Tribune* said of the Congressional memorial service: "The eulogists vied with each other in their gracious tributes—in their honorable testimony. And yet the bounds of simple truth were not overpassed, were scarcely reached. Their most glowing epithets, their most sounding periods failed to give one that sense of Mr. Fessenden's rare nobility of nature and intellectual supremacy which was caught by a single glance at his living face, so pure and so intense, so strong, yet so exquisitely refined. It was a face set inflexibly against all shams and sophisms, social, moral and political; but it was not an unbelieving face. It was keen and penetrant in expression, without a touch of cunning. It was marked by a peculiar pride, watchful but not jealous; lofty but not lordly. Much has been said of this characteristic pride of the great Senator, but little perhaps understood. It was not an assumption, it was not even a habit; it was a native vital element of the man. It hung about him like an atmosphere, a still, cold mountain air, utterly without the sting

of hauteur and the bluster of arrogance. You felt it without resenting it. It would never have prevented the unfortunate from approaching him, or kept a little child from his knee. It made his smile the more beautiful, made every indication of the inner sweetness and tenderness of his nature the more irresistible."

His strict integrity was recognized by all who really knew him. Mr. Rhodes says: "All the eulogists of Fessenden testify to his high character; they seemed to feel that they could not say enough of his honesty and straightforwardness. Gauge him by the exactest standard of the most lofty ideal of these virtues, either in public or private life, in America or England, he will not be found wanting."

Mr. Fessenden died after a brief illness at his home in Portland on September 8, 1869. He passed quietly away in the midst of a terrific storm which devastated New England. "Streams were flooded, bridges carried away, trees uprooted. The great brick house in which he lay was shaken by the blasts, and a favorite tree which he had planted in front of it was broken down by the tempest."[14]

[14]Fessenden, "Fessenden."

Chapter XIV
THE REPUBLICAN PARTY

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The Whigs had won their last victory in Maine, the time was at hand when the development of the slavery question was to disrupt the Democratic party and annihilate the Whig. In January, Senator Stephen A. Douglas reported a bill for organizing the territory of Nebraska, which was to be free or slave, as the inhabitants should decide, subject only to the Constitution of the United States. The new territory had been made free soil by the Missouri Compromise and the proposal to repeal this venerated statute caused an outburst of anger in the North which proved the beginning of the end of the long contest between slavery and freedom. The Legislature of Maine instructed her Senators and requested her Representatives to oppose the bill in every practicable way so long as it contained any provision repealing the Missouri Compromise. All obeyed but one. Representative McDonald declined to do so, giving as his reason that the Legislature had disregarded the will of the people in refusing to elect Mr. Pillsbury Governor or even to send his name to the Senate, although he had received the largest number of votes at the September election.

The Maine resolutions had passed the Legislature nearly unanimously. It is probable, however, that a number of the members voted yea as much from fear of losing votes as from dislike of the bill. The Lincoln *Democrat* declared that the bill contained the great Democratic principle of self-government. The *Argus* took a similar position. On the other hand, the *Age* said: "There are certain loads we can carry, and certain loads we cannot carry if we would, and this Nebraska load is one of them. The sentiment of the people is fixed and immutable on this question, beyond the power of the press—which is omnipotent when right, but impotent when wrong—to change or repress it." When the utmost influence of the Administration and the adroit management of Senator Douglas at last secured the passage of the bill, the *Age* said: "The *cheated,* BETRAYED, INSULTED constituencies of the North, are now asking, WHAT NEXT?"

The *Jeffersonian* enclosed its announcement of the passage of the bill in black lines. On the fourth of July it hoisted a flag over the office with the inscription:

> "Restoration of the Missouri Compromise
> Trial by Jury for alleged Fugitive Slaves
> I go where Democratic Principles lead."

The paper exhorted its readers to vote only for men who would pledge themselves to this platform and whose character was a guarantee that they would keep their word.

The Democratic President was exerting his whole strength in favor of the Nebraska bill; the great majority of the people of Maine were

opposed to it. What should the Maine Democrats do? When their State convention met, W. B. S. Moore urged them to pay no attention to the national party. "Let us," he said, "take care of the Democracy of Maine. It will be a hard year to do it, *but let us do it,* and let the parties in the other sections of the Union take care of themselves. By pursuing this course in the election next fall, we shall have Maine right side up." The convention adopted the plan. They sought for harmony by golden silence, nominated a Governor under the gag and presented no platform. Custom demanded an uncontested renomination of Mr. Pillsbury but a letter from him was read announcing that he would withdraw in favor of Albion K. Parris, if the convention would nominate him unanimously. Elbridge Gerry of Waterford objected and expressed a desire for a ballot but Mr. Moore announced that if there was any discussion Pillsbury would withdraw his withdrawal; under this threat Mr. Gerry ceased to object, another member moved that a ballot be taken but the motion was voted down and Parris was nominated by acclamation.

The next step would ordinarily have been the adoption of a platform, but this was passed over. Some delegates asked, "Have we no principles, shall we not endorse the national administration?" but the leaders had decided that principles, at least acknowledged ones, might be very embarrassing in the campaign and the chairman sidetracked the question of a platform by calling for nominations for the county committees. A dispute arose in the Waldo delegation which might have led to a quarrel, and a representative of the committee on resolutions moved that the convention adjourn to meet at the polls in September. The members, the majority of whom appear to have been excellently drilled, at once adjourned.[1]

It is said that the choice of Parris was partly due to his availability but largely to its effect on future nominations. Parris was well liked personally. He had recently been elected Mayor of Portland, defeating Neal Dow. He himself was a total abstainer, and so far acceptable to the temperance men. More important was the aid which his election would give to realizing the hopes of some politicians. Judge Wells of Portland wanted to be Governor but Pillsbury had a particular dislike for him. Bion Bradbury of Eastport also had gubernatorial aspirations. It was known that Parris would serve but a single term. The cry would then go up that the East was entitled to furnish the Governor. Wells would be sidetracked and Bradbury have a good chance of success.

Cary had had himself nominated by a mass convention in the hope that this would influence, perhaps force the regular convention to nominate him. Had the convention chosen a man friendly to Cary, the latter might have withdrawn, but Parris was to prepare the way for Bradbury, and Bradbury's friends and Cary were at swords' points. The candidate from Aroostook therefore remained in the field and as he was not accustomed

[1] *Whig,* June 27, 1854.

to do anything by halves, he assailed Parris in the vitriolic language of which he was a master, calling him a fossil and a straddler. Some of the anti-Democratic papers took a similar tone. The *Whig* declared that "His ex-Excellency has been a fence-man all his life, and is in the neighborhood of seventy years of age." The *Advertiser* called him "a superannuated old man." The Ellsworth *Freeman* said that it had heard that he was a gentleman of honor and propriety but had never heard it claimed that he possessed distinguishing traits of character. On the other side, the Maine *Free Press* said of Parris: "We have often heard the late *Judge Thayer,* who had a full practice in his court, and served in the Executive Council when he was Governor of Maine, speak of him as a most excellent Governor, and one of the best judges ever on the bench of the State." The *Argus,* resorting to ancient history, praised his opposition to the course of Massachusetts during the War of 1812, and the "mammoth bank" and declared that his was "A name that was never presented to the Democracy of Maine but with the prestige of victory. He never has been beaten at the polls in his native State—we believe that the Democracy of Maine will see to it *that he never is.*"

The anti-slavery Democrats, however, were not to be won; their leaders assembled at Portland on June 7 and again nominated Anson P. Morrill for Governor "on an anti-slavery and temperance platform."

The Whigs were much bewildered; they were in doubt not only what ground to take but whether it was best for them to exist at all. The Portland *Advertiser* thought that the Maine Whigs should follow the lead of the national party; the Bangor *Whig* though preferring to retain the old name saw no fatal objection if the Whigs of the North wished as a matter of policy to combine with former members of other parties under the name of Republican. A fortnight before, it had said, "The repeal of the fugitive slave law, the restoration of the Missouri Compromise, and the application of the prohibition (of slavery) principle to all new territory, are, it is evident, to become the rallying cry of a powerful organization in this country."[2] The South must expect to encounter "a true national Republican party" giving slavery its rights under the Constitution but "which will base its action upon the principle that Liberty and not Slavery is the corner-stone of this Republic."

Somewhat later, however, the *Whig* expressed the opinion that if the Hunkers were to be defeated it would be unwise for the Whigs to endorse Morrill. That is, the Whig flag was to be kept flying not with a hope of victory but to hold together the conservative wing of the party and to prevent some of its members from voting for Parris.

The Whig convention met at Portland on June 29. A proposal that the chairman should nominate the county committees was voted down by a large majority and the power was given to the delegates of the several

[2] *Whig,* June 16, 1854.

counties. The convention denounced the Nebraska bill, demanded that the fugitive slave law should be modified so that alleged fugitives might have a trial by jury in the district where they were found, and recommended that men of all parties should unite to choose Representatives in Congress who would be true and faithful in the approaching contest between freedom and slavery. The convention also favored the binding the States together by facilitating intercourse, a reference to the projects for a railroad to the Pacific.

The Democratic convention had said nothing about the prohibitory law. The Whig convention spoke in an uncertain tone to give the campaign orators ample chance to "hedge." The resolution which was drawn by the editor of the Kennebec *Journal,* declared "That we are opposed to the repeal or essential modification of any of the constitutional provisions of the Maine Law and are in favor of its judicious enforcement, throughout the State, until experience shall demonstrate that it is inefficient and unwise."

The *Whig* regretted that the resolution was not more square cut but claimed that it was an endorsement of prohibition and that the convention meant it to be.

The principal candidates for the nomination for Governor were Isaac Reed of Waldoboro representing the conservatives, and Noah Smith of Calais, a strong anti-slavery and Maine Law man. On the first ballot each received 210 votes. There were 43 for Edward Kent and 32 for G. W. Pickering, both of Bangor, and 19 scattering. On the second ballot Reed was nominated, receiving 288 votes against 267 for Smith, and 9 scattering.

Mr. Reed has been described as a man of "probity and property," and was highly esteemed by his neighbors. He had held no important office except that of Representative in Congress, filling a vacancy.

The nomination of Reed and the ambiguous resolutions regarding the prohibitory law was a triumph for the conservatives but it was a Pyrrhic victory. Party ties were fast losing all force and many of the radical delegates gathered in the corridors and agreed to support Morrill. Other organizations came to his assistance. The Free Soilers held a convention and on the motion of Ezekiel Holmes, who had been their candidate for Governor the two preceding years, nominated Morrill almost unanimously. The Know Nothings also endorsed him.

The Bangor *Journal* alleged that this action was not an expression of the views of the true Order; that the Morrill men had swamped the Order by, at the last moment, organizing lodges whose real purpose was not to help the Native Americans but to secure the nomination of Morrill; that when the endorsement of Morrill was passed, the Judge Advocate left his place and with many others went out in much anger. In after years the Democrats would doubtless have been ready to swear that Morrill was a loyal Know Nothing, while the Republicans were anxious that the whole matter should be forgotten.

The attitude of the Whig papers, like their platform, was ambiguous. The Portland *Advertiser* said that Reed was a man in the prime of life (perhaps a hit at candidate Parris), conciliatory in manners and disposition and of prepossessing address; it acknowledged that there was no chance of his being elected by the people, but advised the Whigs to vote for him and combine with others in the Legislature. Later in the campaign, however, the *Argus* declared that the *Advertiser* would not say how its editor would vote.

The time was plainly ripe for a new party. The suggestion had been made by various bodies of men in different parts of the country that one should be organized and take the name of Republican. The national Republican party is generally said to have been founded at a meeting held at Jackson, Michigan, in June, 1854.

What is regarded as the formation of the Republican party in Maine took place in the following month. During the summer it was decided by the leading anti-Democrats of Franklin county to form a new party. The committees of the anti-slavery Democratic, Whig, and Independent Democratic parties published a notice in the Farmington *Chronicle* of July 27, inviting each of these parties to send a hundred delegates to a party convention. The conventions were held, they united and organized, and voted that the party that day created should be called the Republican party. But the allied forces that supported Morrill did not take this name until the following winter. During the campaign they assailed the Nebraska bill and defended the prohibitory law.

Their opponents accused them of blind fanaticism. The *Argus* attempted to show that a speech of Dr. Nourse, a prominent Morrill Democrat, meant that the Constitution of itself carried slavery into the territories, and that in making this assertion the mad extremists of the North and the South joined hands. "But the Democratic party abjures the idea as revolting to humanity. We should as soon think to see poison rain down upon the earth, from out of a star-lit sky, as to see slavery dropping from the Constitution, on the land over which it is spread for protection." The *Argus* accused the Republicans of preferring the interest of their party to the welfare of the country. "They are unwilling," it said, "to have the slavery question withdrawn from Congress and the Executive, because they know that, with such withdrawal, they must lose forever the whole basis of their mischievous action."

The election resulted, as so often before in no choice by the people. Morrill had 44,565 votes, Parris 28,462, Reed 14,001, Cary 3,478. There were 127 scattering. When the Legislature met in January, the House gave Reed 115 votes, Morrill 106, Parris 52, and Cary 1. Reed and Morrill were therefore the constitutional candidates and in ten minutes after their names had come from the House, the thirty Senators unanimously chose

[1]Hamlin, "Hamlin," 616-617.

Morrill Governor. When the message announcing their decision reached the House, "Mr. Heald, of Troy, moved that this House now give three hearty cheers for the success of the new Republican party just organized in the State of Maine. Several members suggested that the motion was hardly regular, and the Speaker confirmed the objection."

Joy at the coming of the new day not only transported members beyond the cramping bounds of precedent, it even, as it were, made the dumb to speak, and almost to sing for gladness. A bill being before the House forbidding State officers to assist in the execution of the fugitive slave law, "Mr. York of Temple said that he had been an anti-slavery laborer for ten years and had not opened his mouth here but he could hold out (or in) no longer, had prepared his sentiments in rhyme. He wished to know if it would be in order to sing his song. Mr. Pike hoped that he would sing it. Mr. York, on the whole, preferred to recite it, which he did with much gusto."

The new party soon encountered an abundance of criticism and of practical difficulties to moderate the joy of their victory. They were embarassed by the internal conflicts and the discontents which usually follow the success of a coalition. The Bangor *Jeffersonian* maintained that the Republicans were substantially the old Democrats, who, loyally adhering to the principles of their honored founder, had broken away from an organization that had deserted them; and that it was to express this idea that the name Republican had been chosen. The former Democrats therefore demanded the spoils now held by the Crosby Whigs. But the Whig papers claimed that the Republican party was really the Whig party.

There was no doubt that many who had voted for Reed would come over if treated tenderly, and most of the Crosby office-holders were allowed to keep their places. The *Argus* did its best to stir the anger of the disappointed ex-Democrats. It asked what the Morrill men would do who found themselves treacherously transferred in a body, to the ranks of the Whigs to be at once marshalled into line, by the veteran leaders of that party.

It published a letter from "An original Morrill Democrat" who wrote: "We thought, at least most of the Morrill Democrats thought, that every Crosby Whig in office would be removed, and our Democratic friends would have some influence; but now we find it is all gammon. Whigs are not to be removed. They hold office all over the State, and no Democrat—no one who labored for Morrill's election, unless Whigs, are to have any influence with him. Out on such hypocrisy. If such men as Kent, Goodenow, and Carter of the *Advertiser* are to arrange all the loaves and fishes, we want to see some good Democrat nominated in place of Morrill, who knows the right, and dare perform it too. Governor Morrill is a mere *cypher*, and can never build up a Democratic party in Maine."

The indignant correspondent asserted that Morrill, when land agent,

had left the public lands open to trespassers, and that the convention which nominated him was practically a legislative caucus such as defeated Hubbard, except for the presence of ladies and musicians.

The Ellsworth *American* declared that Morrill "refused to obey the wishes of the majority" in making the appointments in Hancock county.

The Legislature, as well as the Governor, gave offense in many quarters. A bill to allow the unclaimed bodies of paupers to be given to doctors for dissection purposes raised a perfect storm and it was first modified, and then dropped entirely. Various academies applied for liberal grants of land, some obtained them, others failed. The cry was raised that the lands would be sold for a trifle, that the State would be deprived of its domain for the actual benefit not of education but of scheming politicians and land sharks. A geological survey which it was proposed to continue had proved very expensive and was regarded in many quarters as a waste of money.

The Know Nothing section of the Republican party procured the passage of a law forbidding naturalized citizens to vote unless, at least three months before the election, they had submitted their naturalization papers to the aldermen, selectmen or assessors of their city, town or plantation. If the authorities were satisfied that the papers were legal and belonged to the person presenting them they were to enter a description of them in a book and place the applicant's name on the voting list, there to remain during the period of his residence. No person, however, was to lose the right to vote by the non-acceptance of his papers but his claim was to be determined as heretofore. The Democrats violently attacked this law, claiming that it discriminated against one class of citizens and was therefore unconstitutional.

The prohibitory law gave offence to many who were not rummies. The act granted extensive powers of search and many felt that private rights were invaded. A cry was also raised that the law as enforced was hurting business. But far more injurious to the Republicans was a liquor riot in Portland in which the militia were called out, the mob fired on, several persons injured and one killed. Liquor had been bought for the city agency and it was claimed that technically Mayor Dow was the owner and had violated his own prohibitory law.

Handbills scattered throughout the city asked, "Where are our vigilant police, who are knowing to the above facts, and who think it their duty to move about in search of the poor man's cider, and often push their search into private houses contrary to every principle of just law? Why are they so negligent of the weightier matters and so eager for the mint and cummin? We call upon them by virtue of Neal Dow's law to seize Neal Dow's liquors and pour them into the street. The old maxim reads *Fiat justitia ruat coelum,* which means, 'Let the lash which Neal Dow has prepared for other backs be applied to his own when he deserves it.'"

The opponents of the Maine law were much excited. They considered it a most outrageous and inquisitorial statute which established arbitrary and unreasonable presumptions of guilt and that it had been enforced by Mr. Dow in a very severe manner. The report that he had been caught in his own trap and might be publicly proclaimed and punished as a violator of his own law was received with the greatest joy. On June 3, three men, all thorough-going opponents of the prohibitory law, appeared before Judge Carter of the Police Court, made oath that they had reason to believe and did believe that Neal Dow had liquors intended for illegal sale in the State, in the basement of the city hall; they had brought with them a constable and they demanded that warrants to seize the liquor and to arrest Mr. Dow be issued at once and delivered to their constable to serve. The Judge issued the warrant but refused to give it to their constable on the ground that fees would be saved by giving it to the officer of the court, Deputy Marshal Ring. The Judge detained the deputy marshal until court adjourned, saying that he ought to remain in attendance. The deputy then proceeded to the city hall, as the casks were not directed to Neal Dow he hesitated about seizing them, but after consulting the county attorney he did so. Believing that they were as safe where they were as in any other place he did not remove them but left them in charge of an officer. He properly gave Mr. Dow time for arranging for bail before arresting him.

Meanwhile a crowd had collected near the city hall and much impatience was expressed because the liquors were not seized. Reports of an attack on the agency were brought to the city marshal, the mayor and certain aldermen. Two companies of militia, Captain Green's Rifle Guards and Captain Roberts' Light Guards were called out. The first company appeared at the hall but with ranks by no means full, was pelted with stones and withdrew; Mayor Dow having given and then countermanded an order to fire.

The excitement of the mob increased, stones were thrown at the agency, forcible rescues were made of men who were arrested by the police, an attempt was made to break down a door of the city hall and get at the liquor. Within were a number of police and the city marshal. The crowd was repeatedly warned to disperse and that any of them entering the building would be shot. One man who was part way through the half broken door was wounded and there was a general discharge of revolvers by the police. Reinforcements were also coming from the militia. About two hours after Captain Roberts of the Light Guards received the order from the magistrates, calling out his company, some thirty of his men had assembled at the armory of the Rifle Guard, but they had no ammunition suitable for their guns. Mayor Dow demanded the guns of the Rifles. They were refused and by his direction the Light Guard took them from the racks. Information had come that without prompt assistance the city hall would be stormed and the police sacrificed. Mayor Dow led the

troops to the city hall and found one of the doors broken and stones flying through the room. Some of the police had been hurt. No further warning was given to the mob to disperse but the militia drew up at an open door looking out on Middle Street and fired by sections through the room and the broken door. After this the mob gradually quieted and were then dispersed by the militia. One life had been lost, that of Jonathan Robbins of Deer Isle, a sailor from a vessel in the harbor, and seven of the rioters had been wounded.

The riot had occurred on Saturday night. On Monday a public meeting was held, and F. O. J. Smith, Nathan Clifford and others, made vehement attacks on the Mayor. Mr. Smith said that the Mayor's resignation should be demanded and intimated that if necessary forcible measures ought to be taken to obtain it. The meeting unanimously passed resolutions reported by a committee which was unfavorable to the Mayor, and provided for a committee to investigate the affair of Saturday. A resolution was offered from the floor and unanimously passed calling on Mayor Dow to resign on account of his conduct in purchasing the liquor.

On Tuesday Mr. Dow was tried in the municipal court on the charge of having liquor in his possession intended for illegal sale. Nathan Clifford appeared for the prosecution, William Pitt Fessenden for the defense. Judge Carter ruled that the city had authorized the original purchase and dismissed the respondent. An inquest, held on the body of Robbins, declared that he came to his death while engaged in a riot. Another coroner's jury was formed composed of enemies of the Mayor, who reported that Robbins had been illegally killed and called on the grand jury to determine if the Mayor should be indicted and, if so, whether for murder or manslaughter, but the grand jury took no action. A committee of investigation was appointed by the city council. Some of its members, such as William Willis and Rev. Dr. Dwight, were among the most respected citizens of Portland, but they were generally friends of prohibition. Their report fully endorsed the action of the Mayor.

The papers of the city in discussing the riot divided on political lines. The Democratic *Argus* and the Whig *State of Maine* bitterly condemned Dow; for the course of the latter paper there was at least excuse, since the owner, John A. Poor, had received a bullet through his hat, the night of the riot.

The *Argus* in describing what it considered to be the temper of the mob, said: "There was a pretty strong current of feeling, that no great moral or legal wrong would be done by letting Mr. Dow's liquor into the gutter (the common receptacle of the article here, and no doubt the best one when properly got into it), and it was this feeling on the part of a few, and curiosity on the part of the others, which caused the assemblage on Saturday night. The worst that any one of those assembled had in view—was the spilling of a little liquor—a few panes of glass broken, and

some other injuries done to the door of the liquor store, would have been all, and the crowd would finally have dispersed of themselves."

The *Advertiser,* on the other hand, took the attitude adopted by the investigating committee appointed by the city council who said, "Here was a question not merely whether a quantity of liquor should be destroyed, for that would be of comparatively small importance, but whether law should be vindicated and triumphant, and the peace and property of the city be preserved, or whether mob violence should rule the hour, trample upon law and order, and break down the great barrier which protects the life, the property, and the happiness of our people."

There was much dispute as to the character of Robbins, and also as to whether he was killed by the police or the militia. The latter point would have been important had the Mayor been tried for murder or manslaughter, but as he certainly ordered the military to fire it has little bearing on his moral guilt or innocence. There was the dispute usual in cases of riot as to the size and ferocity of the mob. It is possible that a small body of police well drilled and well handled might have dispersed the mob earlier in the evening. Attempts were made to make arrests and warnings were given to the rioters to disperse, but there seems to have been no action by the police in a body. It is fair to remember that the police were few in number; that they had no uniforms, only a badge, and there was contradictory testimony as to whether one of them, who was the most active, had his badge on or not. It is doubtful if Mayor Dow was warranted in his first order to fire. Had it been obeyed there would probably have been a dreadful slaughter. Alderman Carleton, who was with Dow and was a supporter of his measures, said that he would not have given such an order. And without the consent of two magistrates it would not have been legal. Moreover, the Mayor had no right to call out the militia. He acted in good faith but investigation showed that the statute on which he relied had been repealed by a later act. It is possible also that during that exciting night Mr. Dow was guilty of a technical violation of law in demanding the muskets of the Light Guards. On the other hand, the opponents of the Mayor violated the spirit of the law in the original prosecution of Mr. Dow, and it is probable they had arranged for the liquor to be taken from the constable whom they brought to serve the warrant, and spilled into the gutter. If the Mayor bore the loss he would be $1,600 out of pocket; if the city assumed it, this could be used against the Mayor politically. But these men played with fire. The mob spirit once roused cannot be controlled and the devisers of the original comparatively innocent plot against the Mayor must bear a considerable part of the blame of the tragedy that followed.

Mayor Dow is undoubtedly responsible for the firing of the militia through the agency door, but the conditions were such as to justify him. The riot proved very injurious to the Republicans, their opponents resort-

ing to the grossest misrepresentations concerning it. Mr. Dow says in his reminiscences:

"The country districts were flooded with circulars full of mistatements and pictures representing officers shooting women and children who had gathered to see liquors seized or who were passing the stores where liquors were kept. One of these is before me while I write, representing a company of uniformed soldiers firing under my orders into a throng of men, women and children, passing on the opposite sidewalk, peacefully attending in broad daylight to their legitimate pursuits."

But the Democrats had their troubles also. Maine was specially interested in obtaining compensation for the French Spoliations. A bill similar to that vetoed by Polk was passed by Congress, to meet a like fate at the hands of Pierce. The *Advertiser* attempted to show that slavery was responsible for the veto. The *Argus,* however, replied that anti-slavery Senators like Felch of Michigan, Benton of Missouri and Wright of New York, had disapproved of the paying of the claims.

But far more serious than the spoliation question was the fact that "popular sovereignty" in Kansas had proved a farce and a cheat. At the election of a territorial delegate in the autumn of 1854 the Missourians had swarmed over the border and secured the choice of a pro-slavery man. In the following spring the operation was repeated and a pro-slavery Legislature was chosen. The Governor, Reeder, in some cases, refused to give certificates of election, but he took a hesitating, half-and-half course and the bogus Legislature over-rode him and filled the statute book with pro-slavery laws copied word for word from those of Missouri. Indeed, so great was their haste that they sometimes forgot to use the word Kansas instead of Missouri. Reeder's attempt to make popular sovereignty a reality brought on him the anger of the South and the President. Some of his other acts may have been justly open to criticism and in July, 1855, he was removed from office. The *Argus* had said in the fall that the people of Kansas were much more interested in their title to their lands than in the remote danger of slavery being fastened on them, and after the election of the Territorial delegate expressed its confidence that the Administration would severely punish any frauds that might have been committed. Later it excused the Missourians on the ground that so much feeling had been stirred up by the abolitionists that they feared that their slaves were not safe. It said that the dispute between Reeder and the Legislature was unfortunate, which it certainly was, both for Kansas and the Democratic party, that Reeder was willing to be removed, and finally that he was removed because he had engaged in land speculations.

The majority of the Democratic party and Democratic papers had rallied to the Administration. Ephraim K. Smart published a letter in defense of his change. He quoted Emerson on the evils of consistency, and urged that the Wilmot Proviso forbidding any extension of slavery was

an answer to the claims of the South that all new territory was slave territory by virtue of the Constitution, but that now extreme views had been surrendered and all met on the moderate ground that the question should be left to the people of the various territories. At first all the Democratic papers in Maine had approved the Proviso. Soon some gave way; others followed; the Augusta *Age* made a gallant fight but yielded at last and was rewarded with government patronage. The *Jeffersonian,* the Oxford *Democrat,* and the *Democratic Clarion* of Skowhegan remained firm the Democrats who continued their opposition to the Nebraska bill were a minority but they were formidable in their zeal, and the influence and ability of their leaders. When the Democratic State convention met there was a long dispute over the platform, the discussion being very acrimonious but also unusually able. The committee on resolutions reported one praising the national Administration.

This had been vigorously opposed in committee by the chairman, Joseph H. Williams, of Augusta, a son of Reuel Williams, but he could find no one to support him and the resolution was passed by a vote of 13 to 1. The contest was renewed on the floor of the convention. Lot M. Morrill bitterly attacked the resolution, and Williams made a brief speech amidst "hissing, applause and all sorts of remarks." Ex-Congressman Fuller said that it was the intention of the committee to avoid all mention of the repeal of the Missouri Compromise. Leland of Saco said that he was a Nebraska man but that he considered the resolution unwise. George F. Shepley intimated that Lot M. Morrill wished his brother Anson to be elected Governor and declared that "The resolution alone distinguishes us as national Democrats and it would be parricidal to thrust it aside." He ridiculed the notion that the Missouri Compromise was one of the ancient landmarks of the Democratic party and concluded with a personal attack on the Augusta politicians.

But if the Democrats refused to speak officially on the question of Nebraska, they were not slow to condemn the existing prohibitory law, which they denounced in vigorous terms, though declaring themselves in favor of a "suitable prohibitory law."

For their candidate they chose Samuel Wells, of Portland. Mr. Wells was an ex-Whig. He had zealously supported "Tip and Ty" in 1840, but a little later joined the Democrats. In 1847 he was appointed a judge of the Maine Supreme Court and served until 1854.

The Republicans were more ready to condemn the Kansas-Nebraska act than to endorse Neal Dow prohibition. A mass convention was held in Portland to renominate Governor Morrill and adopted resolutions reported by a committee, which said nothing whatever about prohibition.

Neal Dow states in his autobiography that the omission of any reference to prohibition was due to the circumstance that several speakers from out of the State had addressed the convention and that it was thought that they might be embarrassed by the introduction of a local issue.

Perhaps, however, the leaders were glad of an opportunity to dodge the question. But if such was their plan it failed at the last moment. A demand was made for the endorsement of the Maine law, and with the issue publicly raised a resolution was offered stating that "the perpetuation and execution of the Maine Law are among the fundamental issues of the Republican party of Maine." The resolution was adopted amidst great applause and the Republicans stood committed to the new temperance legislation.

The remnant of the Whig party, the Straight Whigs, as they were called, held a convention and renominated Isaac Reed, but it was understood that there was no hope of electing him; he was put in to keep some voters from going to Morrill and perhaps to enable the old Whigs to obtain a better price from the Democrats for their assistance.

During the campaign the Republicans laid special emphasis on the Nebraska issue, though they did not fail to beat the prohibition drum when it seemed wise to do so. The Democrats replied by appeals to patriotism, the Union, and fraternal feeling between the North and South. The extreme views of some of the Republican speakers gave them an advantage. "Ben" Wade, of Ohio, a thorough-going anti-slavery man, who was accustomed to use extremely vigorous language, declared that there was no real union in the country, that not even Russian and Englishmen felt in their hearts so much enmity[4] as did the North and South.

"Sir," he said, "I do not blame the South one-half so much as I do this brood of doughfaces in the North, for they it is by their fancied consternation, have led us into that condition of things which we now see. Is there a man here who believes that freedom and slavery can ever agree? Can fire and water blend? Can you marry immortality to death? Sir, these things are impossible; and he is a mere political quack who believes that you can make any compromise between principles so diametrically opposite as are those of freedom and slavery." Referring to the Chief Magistrate of the Nation he said, "You could not find a meaner specimen of a thing for a President, if you had imported a baboon and put him there."

The *Advertiser* appears to have been unwilling to report Wade in full. The *Argus,* however, challenged and finally forced it to print the speech, held it up as an example of Republican disunionism, and said that four men who had never voted the Democratic ticket in their lives declared on hearing the speech that they would do so. Another of the speakers, Nathaniel P. Banks, of Massachusetts, said: "I think I may say, in view of the history of the past year and a half or two years, we have had the question presented to us whether the institutions of this country shall be maintained, and let me say, although I am not one of that class of men who cry for the perpetuation of the Union, although I am willing in a certain state of circumstances to let it slide, I have no fear for its perpetuation. But let

[4]The Crimean War was then raging.

me say if the chief object of the people of this country be to maintain, perpetuate and propagate chattel property in man, in other words, human slavery—this union cannot stand, and it ought not to stand."[5] (Prolonged applause.)

Some appeal was also made to business interests. According to the *Jeffersonian,* Wells said in a speech at Belfast, "If these men (anti-Nebraskans) succeed, your commerce will be ruined and the grass grow in your streets."

The Democrats claimed that "Nebraska" was not a State issue, and that their convention had expressly refused to make it a test. They attempted to rouse old party feelings by asserting that the Republican was practically the Whig party under another name. The *Jeffersonian* daringly replied that the Federalist papers, such as the Bangor *Journal* and the Portland *State of Maine* supported Wells, but that the Whig papers who had joined the Republicans had renounced Whiggism.

The Democrats sharply attacked Neal Dow prohibition. But although they could scarcely say enough against the existing prohibitory law, they also attempted to alienate the radical temperance men from the Republicans by charging the latter with being secretly disloyal to their allies. They asserted that the edict had gone forth that there should be no more liquor prosecutions till after election, and that men were told that Morrill did not favor the present law, and that if they would vote for him it would be modified after election.

The vote was larger than ever before. Morrill led Wells by a few thousand, but again there was no election by the people. The official vote stood, Morrill 51,441, Wells 48,341, Reed 10,610, scattering 81. It was known, however, that the Legislature would be Democratic, and the administration papers set up a cry of triumph. The Washington *Union,* the President's organ, said: "Here, then, is the auspicious commencement of the reaction in the Free States. Here is the first Northern echo to the last victories of the Democracy of the South. Maine was the first to lead off against the Democracy in 1854; and now that she has realized the bitterness of the cup which she has been compelled to drain, she promptly falls back into the line of Democratic States, accepts again the undying principles of the constitution, and shines out on a cloudless sky, the Star in the East which points to the overthrow of Error."

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[5] This startling declaration, though well received when delivered, proved a serious obstacle to Banks the next winter, when with great difficulty he won the speakership of the National House. Oliver Wendell Holmes wrote an ode for Washington's birthday, in which he said, as quoted in the *Argus*:

"Listen not to idle questions
If its bands may be untied;
Doubt the patriot whose suggestions
Whisper that its props may slide."

In Houghton and Mifflin's 1892 edition of Holmes, the last line is given as "Strive a nation to divide." The line may have been changed to make the allusion to Banks less pointed.

The success of the Democrats was largely due to the use they made of the Portland riot and the death of Robbins. The correspondent of the New York *Herald* said that the extreme violence of Wade and other out-of-the-State speakers caused disgust and hurt Republicanism.

Shortly after the election the terms of Chief Justice Shepley and Justice Howard of the State Supreme Court expired. Instead of re-appointing them, Governor Morrill raised Justice Tenney to the place of Chief Justice and appointed Messrs. Goodenow and Woodbury Davis Associate Justices. Goodenow was a son-in-law of John Holmes, and had been Speaker in the Hunton Legislature. Davis, originally an earnest Whig, had joined the Liberty party and for three years had acted as their agent, travelling over the State, speaking and writing. He then opened a law office, but retained his interest in the anti-slavery cause. He was also prominent in the prohibitory movement. Mr. Davis was a ready and able writer and many of his party's papers and platforms were drawn by him, but he had not as yet distinguished himself as a lawyer.

Great was the indignation of the Democrats over the new appointments. The *Argus* declared that Shepley was a "model judge, one of the ablest in the whole country," and that Howard, though a younger man, was able and faithful. It said that Goodenow "when nearer the prime of life than now" had been a district judge. "If, without improved temperament or temper or health, he is now successful in an office of higher responsibilities and more difficult duties, we shall be happily disappointed."

It spoke of the importance of judges being known to the people, and sarcastically asked, "Who beside Governor Morrill knew that Portland could claim the honor of so distinguished a citizen? [as Davis] . . . Where is his reputation as a lawyer? Who knows him as such, either in this city or in this portion of the State, in which Governor Morrill commands the people to allow him to hold the scales of justice for them?"

The matter attracted attention outside Maine. The Boston *Post* censured severely the failure to reappoint Judge Shepley, who it is said, had a national reputation. The *Jeffersonian* replied that other partisan appointments of judges had been made, that Governor Dana had been unwilling to reappoint Judge Tenney, but had been forced to do so by two of his councillors, Manassah H. Smith and Sewall Craw, that Judge Howard had been appointed by his brother-in-law, Governor Dana, that the opposition press had made the same objections to the appointment of Judges Parris and Rice that were now urged against Davis. It admitted that Davis had not had an extensive practice.

On the meeting of the Legislature the House sent up the names of Reed and Wells and the Senate elected Wells, two Whig Senators voting for him. The Democrats elected Lot M. Morrill president of the Senate, not because they agreed with his views or desired to conciliate his friends and followers, but because they wished to get him off the floor. The Whigs

received their reward in the office of treasurer, which was given to candidate Reed.

The choice met, however, with vigorous opposition. Some of the Whigs desired Reed to maintain his independence and run again next year, while many Democrats wished to make Amos M. Roberts, of Bangor, treasurer. They may, however, have found some comfort in the make-up of the Council, for every man was a Hunker.

Having filled the State offices, the Democrats proceeded at once to repeal the registration act of the preceding year. The Kennebec *Journal,* then edited by James G. Blaine, made the caustic comment, "The Legislature in both branches yesterday did their best to give *Paddy McShane* the privilege of using *Teddy O'Neil's* naturalization papers about election time." The Democrats also availed themselves of what they regarded a fortunate opportunity of removing Judge Davis before he was hardly warm in his seat.

An amendment to the constitution had been passed at the September election, providing that the sheriffs should be chosen by the people instead of being appointed, as heretofore, by the Governor and Council. The first election was to take place on the second Monday in September following the proclamation by the Legislature that the amendment had been adopted, and the persons chosen as sheriffs were to take office on the first day of the ensuing January and to serve for two years.

The Democrats determined to make some of their partisans sheriffs. Governor Wells removed various Republican sheriffs and appointed Democrats in their stead. The sheriff of Cumberland, Sewall M. Baker, was replaced by Daniel C. Emery. "A close question of law was thereby raised, viz., had the constitutional amendment been adopted so that on January 11, 1856, Governor Wells had no power to remove a sheriff in office and appoint another, or did that power still remain with the executive, the amendment not having taken effect?"

The State Constitution then, as now, provided, Art. X, section 2, that after the Legislature by a two-thirds vote of both houses had agreed upon an amendment, it should be submitted to popular vote, "and if *it shall appear* that a majority of the inhabitants voting on the question are in favor of such amendment, it shall become a part of the Constitution." To whom shall it "appear"? To the Governor and Council, or to the Legislature? Just when in point of time is the Constitution amended?—when the votes are cast; or when canvassed by the Governor and Council, or when their report is made to the Legislature, or when the Legislature accepts the report and makes a proclamation thereof? Governor Morrill and his Council had canvassed the returns, transmitted to the office of the Secretary of State, in November, 1855, after the election, and "it appeared to them that the people had voted in favor of adopting the amendment. They had made return of the votes to the Legislature of 1856. It had been the custom of the Legislature, whenever amendments to the Constitution had been adopted, to pass a

special resolve declaratory of that fact. The Legislature, at the time Governor Wells appointed Emery sheriff, had passed no such resolve and had made no such declaration. Was it necessary that it should?"

The Republicans of course denied any such necessity and their sheriffs refused to recognize Governor Wells' appointees. The contest in Cumberland involved Judge Davis, who was holding court in Portland. On Monday, January 21, Mr. Emery appeared in court, accompanied by his counsel, ex-Judge Howard, and Nathan Clifford, soon to be appointed a justice of the United States Supreme Court, and these gentlemen called on Judge Davis in able and very earnest arguments to recognize Mr. Emery as sheriff. Judge Davis in reply spoke of "the newness of his own position upon the bench, and his anxious desire to be guided by all the suggestive counsels of the members of the bar, upon the questions involved in the issues so raised; adverting, also, to the fact that he was conscious of the much greater professional experience of several members of the bar than his own; and he therefore invited the expression of whatever opinion any gentleman might be pleased to offer him on the subject, to aid in a correct judgment thereon."

General Fessenden then arose and argued with much vigor in behalf of Sheriff Baker. Judge Davis expressed his reluctance to decide the question, but also his unwillingness to evade the responsibility of his position, stated that he had prepared an opinion, that it might not cover all the points raised in the arguments just made, but that as they had not caused him to change his views on the merits of the question, he would read what he had prepared. Then, after some oral remarks on the case, he read a decision in favor of Mr. Baker. Judge Davis expressly refused to decide the general question of the constitutionality of Governor Wells' appointments, or even who was the rightful sheriff of Cumberland county, except in so far as it was necessary to decide who was legally qualified to perform the duties of sheriff for the court. Governor Wells' appointees disregarded this limited decision of a single justice and persisted in their claims.

The power of the State executive was behind them and the Republican jailors and sheriffs, including Mr. Baker, surrendered the buildings and other State property in their charge, protesting that they acted under compulsion.

In March, Judge Davis held a term of the Criminal Court of Portland. Both sheriffs, each with a crier, appeared. General Fessenden stated that he hoped that the judge would not reverse his former decision. Davis adjourned the court until afternoon and then announced that he should recognize Baker as sheriff. By the time of the last trial of the term Emery had obtained possession of the jail, but Davis refused to recognize him as *de facto* sheriff, and used the services of a constable provided with a proper writ to bring prisoners from the jail.

Davis' conduct greatly incensed the Democrats. They claimed that

he should have recognized the person having a commission as sheriff from the Governor then in office, though another held a commission from an earlier Governor.

Neither side, however, was sure of the correctness of their position on the appointment question. The Democrats declared that whether Governor Wells was right or wrong it was an encroachment on the executive power for a single judge to pass on the validity of his appointments. The Republicans claimed that whether Judge Davis' decision was correct or not it would be an outrageous assault on the independence of the judiciary to remove a judge for a decision honestly given on a doubtful question of law. They demanded with much reason why the opinion of the Supreme Court had not been taken. The Governor, Council, Senate and House all had the right to call for it, but notwithstanding the efforts of the Republicans, none of them would submit the question.

The charge was made that the Democrats were planning to reorganize the judicial system in order to obtain a majority that would uphold their views. They contented themselves, however, with driving Judge Davis from the bench. The constitution of Maine provides two ways of removing a judge: one is by impeachment, the other by the Governor and Council on an address from both branches of the Legislature. The first method is a distinctly judicial proceeding. The Senators who are the triers of the impeachment are on oath, witnesses are called, the forms of a court observed and a two-thirds vote is required to convict. The address is voted in the same manner that any bill is passed, although the judge whose removal is sought is entitled to a notice and hearing. The Democrats resolved to proceed by address. This method being less judicial, both in form and substance than impeachment, it would be easier to persuade hesitating members that they were not acting as judges and jurors determining the truth of certain charges, but as public men pronouncing whether it was well for Judge Davis to remain on the bench.

It is said, however, that even to obtain an address some pressure was necessary. The Democrats caucused and the Republicans declared that the party whip was used to keep members in line, and that it was shameful to thus influence before the hearing the very men who were to render the decision. Judge Davis in a private letter angrily declared that the House had prejudged the case.

Judge Davis and his friends, however, took care that if the decision went against him it should not be for lack of able counsel and they summoned from Boston Rufus Choate and Henry W. Paine. Apparently Mr. Choate was to furnish only the rhetorical fireworks, what Cicero calls the *pigmenta et ornamenta*. Richard Henry Dana wrote in his journal: "Judge Davis' friends retained Choate to plead his case before the Legislature, and I was retained to make full preparation of the law and history, and to take Choate's place in case he was prevented by illness or engage-

ments from going. I was obliged to make the same preparation as if I were the only counsel, without knowing until Wednesday whether I should be called upon to go. Wednesday night, Choate being ready, I handed over to him my brief (seventeen pages) and he went to Augusta."

Mr. Choate's colleague, Henry W. Paine, was a Maine lawyer who had recently moved to Boston, and who became one of the leaders of the Massachusetts bar.* Ex-Governor Kent was also employed as consulting counsel.

Mr. Choate's health was poor; the hearing was postponed a day for his convenience, and even then the opening speech was made by Mr. Paine, and the next by F. O. J. Smith, who had been retained on account of the illness of Mr. Choate. Mr. Paine discussed the case with great ability. He claimed that Judge Davis' decision was correct, but argued that even if it were erroneous he should not be removed unless the decision was made unnecessarily or was so manifestly wrong that it showed incompetence, which was not the case, as the best legal minds in the State were divided on the question. Mr. Paine also argued that Judge Davis was accused of a misdemeanor, which the constitution had made an impeachable offense, that where a remedy for a wrong was provided it was the *only* remedy, and that therefore the proper mode of procedure was by impeachment. If the question were asked why then did the constitution expressly provide for removal by address, the answer would be that this method of removal was to furnish a means of getting rid of a judge who had committed no offense but who was unfit for his position for such reasons as old age, ill-health or insanity. Mr. Smith made a forcible argument, discussing the matter from its political rather than its legal side.

The closing speech was delivered by Mr. Choate. The correspondent of the Whig said that "it was one of his most willing and earnest efforts—and although suffering from illness at the time, and with failing strength which obliged him to limit his time to about half of what he originally intended, it was an effort altogether worthy of his great name."

The *Argus,* however, said: "He spoke about two hours and a half, in an interesting and at times eloquent strain, but feeble health prevented his equalling either expectation or himself. At the close of his address . . . he appeared very much exhausted."

The effect of the pleas of Judge Davis' counsel may have been partly neutralized by his letter declaring that the House had prejudged the case, which had in some way got into the newspapers. Senator Goodwin, of York, had said in the debate on the address after the hearing that he would

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*The *Argus* said of this resort to out-of-the-State talent: "Is Judge Davis' case so bad in his own eyes as to require desperate remedies? Does he think to frighten the Maine Legislature by an assemblage of Boston lawyers? Or does he aim to make a scene in which his figure shall be rendered prominent in the attitude of a MARTYR, and out of which by skillful hands he hopes to manufacture political capital hereafter?"

not remove Judge Davis for a mere irregularity, the only offense of which he believed him guilty, but he changed his mind and justified his action by the judge's letter. It is said that the letter was also used to keep certain members of the House up to the mark.

When the vote was taken the Senate stood 25 to 3 in favor of the address. The minority consisted of a Democrat, Lot M. Morrill, a Whig and a Republican. One coalition Senator who was absent was reported to have gone home to avoid a vote, saying that he did not want his name on such a record. The House on the same day passed the address by a vote of 81 to 60. The Republicans offered a formal and carefully argued protest which they asked to have entered on the journal of the House, but the Democrats refused. The Democrats of the Senate likewise refused to enter on their journal the protest and answer submitted by Judge Davis at his trial.

The address was sent to the Governor on the day of its passage by a committee of both Houses. "On April 11, in a proclamation which with great force and logic presented his side of the case, Governor Wells removed Judge Davis from office. His proclamation was in the nature of a judicial opinion and discussed at length every point which had arisen in the controversy.

"Judge Davis filed a memorial with the justices of the Supreme Judicial Court at the Law Term on the second Tuesday of May, 1856, claiming that the act of removal was illegal, that he was still a member of the court, and asking the right to exercise the privileges and duties of his office. But the Law Court, in an elaborate opinion by Chief Justice Tenney, held, Judge Goodenow dissenting, that it had no jurisdiction in the case and dismissed the memorial."[1]

Another extremely arduous piece of business for the Democrats was the preparation of a new liquor law. Here, like their opponents in 1855, they were embarrassed by all the difficulties of a coalition. There were Democrats who wished free rum; there were others who honestly desired an effective prohibitory law, but who believed that the act in force was unduly stringent and gave great opportunities for espionage and tyranny. The subject was referred to a special committee of which Phineas Barnes, of Portland, was chairman.

After long delay, and changes from the original plan, an act was passed allowing the sale of liquor by a limited number of persons varying according to the population of the city or town where the license to sell was granted. Liquor thus sold was not to be drunk on the premises and must be unadulterated. Liquor might also be sold by innholders to strangers who were travellers or lodgers. No liquor could be sold to a minor without the written direction of his master, parent or guardian, to any Indian, soldier

[1] Cornish, "The Removal of Judge Woodbury Davis," *Maine Law Review*, May, 1911. Newspapers of the day.

in the army, drunkard or intoxicated person, or person of whose intemperate habits the seller had been notified by his relatives or the public authorities. Notice by the relatives should be presumptive evidence and by the public authorities conclusive evidence of such habits.

The Republicans attacked the law and at the same time attempted to rouse prejudice against it among the "liberal" wing of the Democrats, as too stringent, and as discriminating against the poor. The *Temperance Journal* called the attention of the Irish to the severity of the bill and said: "There is a good deal of sense in the remark of an Irishman to us the other day, 'To the divil wid these haypocrites, they like rum for themselves and wanted us to vote wid 'em, and now they tell us that Maine law is good enough for us. The divil take 'em, we'll have free rum or Maine law all round.'" To which the *Argus* replied "that (free rum or Maine law) is what those who make a trade of temperance are trying for."

"Whether the Legislature had acted wisely or not, it at least did something. To the Republicans indeed this seemed no excuse. The Kennebec *Journal* burst forth:

'Believing, we rejoice
To see the curse removed.'

"After *One Hundred Days* of terror, ending with a violent, revolutionary procedure (the removal of Judge Davis), the Thirty-fifth Legislature of Maine has adjourned *sine die*. The evil they have done will, we fear, live after them—they have done no good to be interred with them."

There were many, however, who cordially approved the repeal of the prohibitory law of 1851, but the Kansas question in its various ramifications proved fatal to the Democrats. The outrages in the territory continued, and on March 22 occurred the assault on Senator Sumner. Mr. Sumner had been engaged in bitter personal debate with Southern Senators. He had made a long speech exposing the Kansas fraud, bitterly attacking South Carolina and using abusive language concerning Senator Butler, of that State, pointedly referring to his intemperate habits. A relative of Mr. Butler, Representatives Brooks, of South Carolina, avenged his State and his kinsman by attacking Sumner when he was quietly writing at his desk and beating him into insensibility with a heavy cane.

There was an outburst of anger throughout the North at what was regarded as an assault on the freedom of debate and an attempt to silence Northern members by violence. In Maine, as in other States, indignation meetings were held. A meeting in Portland resolved that the assault was without parallel in the history of the country for brutality, cowardice and atrocity, and that defended as it was (the Southern press almost unanimously approved of Brooks' act), "it assumes the character of a public wrong which demands redress by the united reprobation of every upright citizen of the country, without regard to party ties or previous political associations. . . . That this ferocious, brutal, and ruffianly attack ought

to be regarded . . . not merely as an attack on the individual, nor only on the State he represents, but on all the Free States, and ought to be firmly met by the expulsion of the ruffian from the House of Representatives which he disgraces by his presence."

John Neal said that "he never was an abolitionist, but it seemed as if God had determined to make him one, and not only him, but the whole North."

Similar meetings were held at Lewiston, Brunswick, Bangor and other places.

The Democrats condemned Brooks, but declared that the Republicans were trying to turn non-partisan indignation meetings to their own advantage. The *Argus* said that the Portland meeting was called without distinction of party, but that it was perverted to a Black Republican caucus.

The Bangor *Journal,* a Straight Whig paper, said of the Bangor meeting: "The apparent fraudulent attempt to turn recent occurrences of the nature of public calamities, into party and personal capital, extracted the enthusiasm from many, and the suspicion of heartlessness disgusted others." The Republicans replied that Democrats were invited to take part in these meetings, but failed to do so.

It was a presidential year, but the question who should be the candidates did not excite much interest in Maine. The Republicans nominated John C. Fremont, a dashing young officer and explorer who had obtained much of the credit for the American conquest of California in the Mexican war. His principal opponent was Justice McLean of the Supreme Court, a sort of perpetual candidate or half-candidate for the presidency. On an informal ballot of the convention the Maine delegation stood 6 for McLean and 5 for Fremont. On this ballot Fremont had a large majority and was then unanimously nominated.

The leading candidates for the Democratic nomination were: President Pierce, James Buchanan and Stephen A. Douglas. The struggle was long, but Buchanan led from the first and on the seventeenth ballot he was nominated. The Maine delegation had given Buchanan 5 votes and Pierce 3 on the first ballot. The candidate was therefore acceptable, but the platform, which specifically endorsed the principles of the Kansas-Nebraska Act, was a serious blow to Democracy in Maine. Senator Hamlin and State Chairman Morrill promptly declared that they could no longer remain members of the party. Mr. Hamlin made his renunciation on the floor of the Senate. Mr. Morrill sent his withdrawal to the State committee.

The Democrats of Maine at first bore the desertion of their Senator and their chairman with more calmness than might perhaps have been expected. The general feeling in regard to Hamlin was that now he had only done formally what he had done long before in substance.

The *Maine Democrat* said that it was glad that Mr. Hamlin had taken his position openly, that he had kept well with both parties until his term

was nearly gone, when, "finding it no longer possible to straddle the political fence, he coolly steps over to the opposition." The Bangor *Democrat* said that the platform adopted by the Cincinnati convention was not the cause, but only the occasion and excuse for Mr. Hamlin's action. "He has done more than any other person in the State to abolitionize it and create and foster a sectional sentiment. There is nobody to go with or follow him to the Black Republican party, as all under his influence have gone there before him, he only lingering behind to cover their retreat." A little later the *Argus* attacked him fiercely, accusing him of clinging to office, and comparing him to Richard III and Henry VIII.

The Republican papers greeted their new ally with hearty praise. The Republican National Convention met a few days after Mr. Hamlin's renunciation of Democracy and he was suggested as a good compromise candidate. The Maine delegation prepared to present his name. But Mr. Hamlin went to Philadelphia and quietly killed his "boom" before it was born. Personally he favored the nomination of McLean, but he cordially accepted that of Fremont. He spoke with much force at ratification meetings in Faneuil Hall, in Portland, and in Bangor.

Mr. Hamlin's speeches were received with the greatest enthusiasm and his friends determined to nominate him for Governor. Mr. Hamlin was opposed to this, for he believed that if nominated he ought to resign the senatorship, and Governor Wells would appoint a Nebraska man as his successor. The convention, however, nominated him by an overwhelming majority and also passed a resolution asking him to retain his seat in the Senate. Mr. Hamlin complied with their wishes, took the stump, and made vigorous speeches all over the State.

The Portland *Expositor* and the *State of Maine,* two papers of the Straight Whig school, came out for Hamlin. He also had the doubtful honor of being supported by F. O. J. Smith, and by that rather malodorous fossil, Col. Joshua Carpenter.

The Whigs of the Legislature voted in March that it was not advisable for the Whigs of Maine to make a nomination for President and Vice-President, the State committee was requested to call a convention in June or July to decide what course should be taken in regard to the State and National elections. On July 1, about 150 delegates assembled. The Bangor *Whig* asserted that the Whig committee had previously met at Portland and that the leaders wished to endorse the Democratic nominee for Governor and President, and the Cincinnati platform, but dared not do so for fear of the rank and file.

The first question for the convention to decide was whether or not they should recognize that the Whig party was moribund, declare it dissolved, and go home. Such a course, however, would have been bad practical politics, as a delegate from Norridgewock pointed out. The *Whig* described him as saying that the Whig party was in better condition and

could do better work for the country now, with only 10,000 votes, than when they had 30,000 and no offices; with 10,000 votes they could obtain a fair share of the spoils, and therefore it was better to keep up the organization. For this or some other reason the Whigs decided to remain alive, but to avoid giving offence to their friends, the Democrats. Accordingly, they nominated a candidate for Governor, George F. Patten, of Bath, but after a sharp debate laid on the table without a roll-call resolutions declaring that Pierce in consenting to the repeal of the Missouri Compromise had wickedly violated a time-honored compact, repudiating the Cincinnati platform, and condemning union with the Democrats.

This failure to take ground against the extension of slavery further diminished the ranks of the Whigs. The *State of Maine* now declared that it would never have gone into the fight the previous year to defeat the Maine law and reform abuses in the State if it had foreseen that the alliance then made with the Democrats would have rendered impossible a resolution condemning the National administration. Mr. Cochran, of Waldoborough, a staunch Whig, who had supported Reed the previous year, joined the Republicans.

The main issue of the campaign was slavery and the Nebraska bill. The Republicans formally and officially freed themselves from the embarrassing subject of prohibition. Not only was nothing said about it directly, but the question of slavery was described as all engrossing, and the convention declared that "we earnestly invite the affiliation and co-operation of men of all parties, however differing in sentiment on other questions. The present is a crisis so momentous, that all other issues—State and National—should be suspended." The convention, however, denounced the removal of Judge Davis as a revolutionary attack on the judiciary, and the charge proved excellent campaign material.

Democrats and Republicans alike angled for Whig votes. The Democrats brought to Portland Senators Cobb of Georgia and Benjamin of Louisiana, former Whig leaders, to urge their one-time brethren to follow them into the Democratic party. Benjamin said, with truth, that most of the old issues were dead and that many Democrats favored improvement of rivers and harbors by the general government. Rufus Choate wrote a letter to the Whig State Committee declaring that the one duty of the hour was to defeat the Republicans, and stating that while it was doubtful what was the best method, and that he would not advise, he himself intended to vote for Buchanan. Four of the Democratic candidates for Congress had recently been Straight Whigs.

On the other side, the Bangor *Whig* asked how Henry Clay Whigs could support Buchanan, who had been so closely connected with "the bargain and corruption charge" in 1825.

Each side praised its own candidate and assailed that of its opponent. The *Argus* said that Buchanan "is one of the few men yet living of the

second generation of statesmen to which belonged Clay and Webster and Calhoun. He has the confidence and support of his great compeers, Benton and Marcy and Van Buren (so Van Buren was pardoned for 1848 and had become a great compeer), who all deprecate the election of Fremont."

The nomination of an "elder statesman" is not always wise. He may appear venerable as a relic of the age of the giants, he may also seem an anachronism and wake the memory of almost forgotten scandals and errors. James Buchanan was neither a great nor a magnetic man and his nomination belongs to the latter class. Immediately after the Cincinnati convention, the *Jeffersonian* declared that Buchanan was "An old Federalist, an old bachelor and an old fogy." The charges were all true. Mr. Buchanan had been a Federalist during the War of 1812 and in 1816 he delivered a Fourth of July oration in which he defended the doctrine of that party. The Kennebec *Journal* now reprinted extracts from this unfortunate speech. The candidate was also a bachelor, and though there is no law requiring a President to be married, and though Mr. Hamlin was probably mistaken when he said that "his frozen heart was never warmed by woman's charms, and so there can be nothing on earth that will soften him to any humanity," the Republicans were as eager to reproach the unfortunate Buchanan with being unappreciative of the female sex as if the voice of the suffragette had already been heard in the land.

The Democrats had endeavored to win votes by dubbing their candidate "Old Buck." The Bangor *Whig* said of this move: "The attempt to popularize the name of Buchanan by a familiar nickname is a ludicrous failure. . . . Stiff, priggish, formal, reserved, unassociated with a single generous, or useful, or gallant action in the whole course of a barren life; remote from the people in every thought and sympathy, and taste, Mr. Buchanan stands quite aloof from the endearing familiarities of would-be worshippers. If he has earned any epithet it is due to his abhorrence of marriage. Call him by all means, Old Bach, the woman-hater."

That he was an old fogy the events of his administration were to sufficiently prove.

An unjust charge of bygone years against Buchanan was revived by General Cochran, who said in a speech at Bangor: "Long ago we Whig mechanics used to be pointed to James Buchanan as the most obnoxious man of the modern sham democracy in the eyes of American working men as the man who thought our wages should be reduced to the European of ten cents a day."

The Democrats, on their side, vigorously assailed Fremont. Howell Cobb in a speech at Portland ridiculed his California exploits and declared that he was a man "with no political past, no political present, and no political future." He was accused of sending a challenge to a duel and of being engaged in improper financial transactions.

The old appeal to the pocketbook was again made by the Democrats. The Belfast *Free Press* said that the prosperity of Maine depended on commerce, that a Black Republican triumph might destroy the Union and would certainly alienate the South, with the result that Maine would lose a million dollars in freights. It was charged that the Democrats sent revenue cutters with custom-house officers on board along the coast, and that the officers were declaring everywhere that if Hamlin were elected the fishing bounties would be withdrawn.

The gubernatorial election resulted in a complete triumph for the Republicans, Hamlin leading Wells by some 26,000 votes. The official count gave Hamlin 69,574, Wells 43,628, Patten 6,554, scattering 58. But in elections in the October States the Democrats were successful and in November Buchanan carried the country. Maine, however, gave Fremont a majority over Buchanan of more than 27,000 votes, Fremont receiving 67,379 and Buchanan 39,080. Ex-President Fillmore, who had accepted a Know-Nothing nomination, obtained 3,325 votes, which came chiefly from the Straight Whigs.

One of the first problems the Maine Republicans had to face was the choice of a Senator, as Mr. Hamlin's term would expire on the 4th of March, 1857. It was understood that the Governor-elect wished to resign and succeed himself at Washington. The Democrats of course declared such conduct to be extremely improper. The *Argus* said: "The man (Hamlin) plays with office, as a child with baubles, and bestrides the State like a Colossus, while the Kents and Morrills of his party must be content to 'walk under his huge legs and peep about to find themselves dishonorable graves.'"

The Lewiston *Journal* said that it was dishonest to hold himself out as a candidate for Governor and after his inauguration to resign his place to another not thought of by the people. The Kennebec *Journal* admitted "that it would be uncandid to deny that some very excellent and sagacious members of the Republican party have questioned the propriety of removing Mr. Hamlin from the gubernatorial chair at so early a period."

Nor was the objection confined to words alone. Lot M. Morrill, who, according to Mr. Hamlin's grandson, had agreed to his retention of the senatorship, now came forward as a candidate.

The leading Republican papers, however, approved of the re-election of Hamlin. The *Whig* pointed out that he had been the most acceptable chairman of the Committee on Commerce for years, and that such a representative in the Senate was particularly useful to the shipbuilding and commercial interests of Maine. The Kennebec *Journal*, after mentioning the objections to the re-election of Hamlin, said that it thought that on examination they would be found to be groundless, that it had been generally expected that if Fremont were elected Hamlin would be a member of his Cabinet, and that it was wholly immaterial to Maine whether he became a

Cabinet officer or took a higher place, that of United States Senator. The Oxford *Democrat* regretted that certain Republican papers were attempting to make a false issue against a gentleman who might be a candidate. "For the Republican party to force one of its prominent members into a position against his will, and then use that (position) as an argument against him, appears to us to be unfair, unjust and impolitic."

When the caucuses met, the House Republicans nominated Hamlin by a vote of 73 to 40 for Morrill, and 4 scattering; in the Senate caucus Hamlin received 23 votes and Morrill 6. There was also to be an election for the fragment of Hamlin's expiring term, and three ballots were taken for a candidate without result. The next evening the Senate Republicans nominated Dr. Amos Nourse, of Bath, on the first ballot, and the House Republicans on the second ballot made a similar choice. The principal opposing candidate was F. O. J. Smith.

Dr. Nourse had been nominated by Polk as collector of the port of Bath, but was rejected by the Senate. At the time it had been asked whether his appointment had been defeated by Southern influence or whether he was a sacrifice to the *manes* of Tylerism. The Kennebec *Journal* now said that he had expressed in private conversation his sense of the impropriety of Calhoun's letter to the British Minister justifying the annexation of Texas because of the needs of slavery, that a tool of Calhoun brought the matter forward in most exaggerated style and frightened the Southern Senators from voting for him.

It is known today that there had been much opposition to his nomination among the Maine Representatives, presumably on account of his views on the subject of slavery. President Polk wrote in his diary under date of December 22, 1845, "Gov. Fairfield of Maine called in company with Colonel Robertson of Bath, Maine, and in the course of a few minutes Mr. Rice, the editor of a paper in Maine, called the *Age,* came in. Gov. Fairfield and the other two gentlemen earnestly insisted on the nomination of Mr. Nourse to the Senate as Collector of Bath. They were apprised that four of the Maine delegation in Congress had protested in a written communication against his appointment. After much conversation on the subject Gov. Fairfield became excited and made some remarks which excited me, but the matter was fully explained before we separated."

The presidency of the Maine Senate was of unusual importance this year, as it was known that Hamlin would resign, and that the president would become acting Governor. The office was bestowed on Joseph H. Williams, of Augusta, a son of Reuel Williams and son-in-law of Lot M. Morrill. The State treasurership was given to Benjamin D. Peck, an anti-slavery and prohibition leader and editor of the *Temperance Journal.*

The *Argus* said that he had been chosen by the influence of Hamlin, Peck claiming the treasury as a reward for assenting to the prohibitory law being ignored in the last campaign and for other services. The Kennebec

Journal in an editorial probably written by James G. Blaine, said: "Mr. Peck will discharge the duties of the office with ready facility and scrupulous integrity. The surest guarantee of this is the fact that Mr. Peck's bondsmen have been taken not from his personal and political friends merely, but from the solid men of Portland, without restriction of party. Some of them, indeed, have been especially hostile to him in politics, but they have tested the 'ring of his metal' and know that a more honest and trustworthy man does not live. . . . Mr. Peck's urbanity of manner, his industry and facility in the despatch of business, and his inflexible integrity will, we predict, render him as popular and acceptable as any who has ever had charge of the treasury of Maine." A few years were to make this praise sound like bitter sarcasm.

While the Republicans were struggling over the offices in the gift of the State, the Democrats were fighting for the favor of the new national administration. A small group, including Nathan Clifford, John Appleton, editor of the *Argus*, and W. B. S. Moor, had the chief authority and were nicknamed by their opponents the Board of Trade. All these gentlemen were well provided for. It was expected that Clifford would be taken into the Cabinet and given, not his old position of Attorney General, but that of Postmaster General or perhaps that of Secretary of the Navy. The Southerners, however, led by Senator Toombs of Georgia, vigorously exerted themselves in favor of Toucy of Connecticut as the New England Cabinet officer. Mr. Toucy had succeeded Mr. Clifford as Attorney General under Polk, and had formed an intimate friendship with Buchanan. He had entered the Senate in 1851 and had just been defeated for re-election because of his support of the Kansas-Nebraska bill. Buchanan's personal regard for him, his martyrdom and the Southern influence combined finally obtained for him the secretaryship of the navy.

But in December, 1857, Mr. Clifford was given the high honor of a nomination as Justice of the United States Supreme Court, to succeed Justice Curtis, who had resigned. There was danger, however, that he would receive merely the honor of a nomination, coupled with the disgrace of a refusal of the Senate to confirm. His legal reputation and learning were small. It will be remembered that he had wished to resign the attorney generalship under Polk. Some of his political brethren quoted a saying of John Holmes about third-rate county court lawyers, and it was reported that there was opposition of former friends who claimed that he had promised them his influence in obtaining offices and failed to keep his word. Membership of a "board of trade" has its drawbacks and dangers as well as its advantages and pleasures. In Maine there was open criticism of the nomination. The Saco *Democrat* made a severe attack upon him. The Bangor *Whig* said that it could not believe the report, which, however, was true, that Senator Fessenden had voted for his confirmation.[1]

[1] It is said that Mr. Fessenden was asked about Clifford's ability by several Democrats who trusted in his fairness and good judgment, and that his opinion that the candidate was qualified for the place saved him from rejection.

Nathan Bliss

On the other hand, the Oxford *Democrat,* though a strong Republican paper, said of Clifford: "In every public position he has filled, he has always *exceeded the expectations of his friends.*" The *Democrat* had no doubt that he would disappoint some who said he was incompetent for the high position, by uniting industry and indomitable perseverance. "Judge Clifford, doubtless, has in times past, and may again find himself embarrassed in consequence of a defective early education; but greatly to his credit he has those elements of character which enables him to conquer all such obstacles."

The editorial was quoted both by the Bath *Tribune* and the *Argus.* The latter paper also said that the people of Maine seemed to make it a rule to depreciate home talent; that a larger percentage of ability was required to obtain recognition for a citizen of Maine than for citizens of several other States; that there was a sort of traditional public impression that men of first-class ability were presumed to dwell in certain localities. "A few of the original States that took the foremost part in the early struggles for independent nationality have very naturally been regarded by a kind of common consent of the public as possessing all the highest talent of the country." Mr. Clifford's nomination was confirmed by a vote of 26 to 23. The prophecy that Mr. Clifford would win an honorable reputation as a Judge of the Supreme Court was fulfilled, but the difficulties were great. Hon. George F. Emery says in his "Reminiscences of Bench and Bar": "Though Mr. Clifford had enjoyed a large practice in the State courts, and was familiar with criminal law in Maine, but was wholly inexperienced as a practicioner in the District and Circuit Courts and without knowledge of practise therein, which is quite different from our local modes of procedure. . . . The law appertaining to patents, which constitutes a very large share of cases in the First Circuit, he had never studied, and is a science of itself and a difficult one at that for a novice. Besides these difficulties in his path, Judge Clifford was looked down upon in Massachusetts as an unworthy successor of Judge Curtis, and his appointment was attributed to partisanship rather than fitness for the position. The prestige of success was therefore all against Judge Clifford, and no one knew it better than he. But this condition, so far from discouraging him, moved him to noble endeavor, and wrought a determination in his own mind that if time should be given him he would demonstrate to the bar of Boston, and to the public, that the President had made no mistake. He at once addressed himself night and day to informing himself on matters of practice, and to preparing himself at all points for the discharge of his varied duties. He lived to conquer prejudice, and died respected as an able and useful judge. But to achieve success imposed upon him an amount of labor of which the outside world little knew, and which, but for a wonderful power of endurance and an inextinguishable ambition, would have closed his career long before it was reached.

As a presiding judge he was patient and impartial, and his urbanity on

the bench was pleasing to, and noticeable by everybody. "His opinions were prepared with unusual care and study, and his conclusions in general commended themselves to the bar, though often reached after a somewhat tedious reading, and seemed sometimes unnecessarily protracted. Judge Clifford was not apt to take anything for granted, and each opinion written he seemed to think should exhaust all the learning and authorities on the subject, and should be a guide and landmark for all time."[9]

Senator Bradbury said of him:

"He loved legal study and investigation. To this he applied himself with the energy of a devotee. He was wedded to the philosophy of the science of which the legal profession is the student and exponent. He liked to trace the history of judicial decisions down through successive years, and examine the manner in which the great minds of the law regarded the operation of those principles that affect the relations and rights of men. He liked to follow out these fundamental principles as they appeared in their decisions, and to imbue himself with their spirit.

"By his power of application, his unparalleled ability for continuous labor, and his conscientious devotion to duty, he was enabled to accomplish his grand life-work and achieve the character of a great jurist. No man ever devoted himself more thoroughly to his duty. He labored in season and out of season, by night and by day, allowing no diversion from his work. The only exception for years was for an excursion into the country for two or three days in a year. Study was his recreation; and even in his vacation he would be at his books in his magnificent library at four o'clock in the morning."

When first appointed to the bench he devoted himself for several years with all his energy and with untiring labor to the clearing of the docket, which had become seriously congested, and at the close of his career he shattered his health and shortened his life by his hard and unremitting labors in clearing the docket of his circuit, where the death of Judge George F. Shepley had left "a mass of grave and difficult cases unsettled."

The other members of the "board of trade" obtained their offices more easily. Mr. Appleton was appointed Assistant Secretary of State. W. B. S. Moore became Consul-General for Canada; other faithful Democrats were given good offices. Moses McDonald, the only representative from Maine who voted for the Nebraska bill, was appointed collector at Portland. Ex-Governor Anderson was made surveyor at the same port. George F. Shepley was reappointed district attorney. The Bangor *Whig* said that S. H. Blake, of Bangor, sought the position, and repeated a story "that when Mr. Blake obtained his brief interview with the President, 'Old Buck' squinted at him over his left shoulder and, pulling out of his pocket a copy of a Bangor paper of 1854, asked the candidate if *he* was the gentleman who appeared therein as an enthusiastic and eloquent speaker at an anti-Nebraska meeting. The story goes that Mr. Blake was considerably dashed

[9]Coll. Me. Hist. Soc., II, VIII, 132-134.

at first; but, seeing that it was a gone case with him, rallied and plumply told the President that he *was* the very individual who made that speech, and, further, that if its sentiments of opposition to the Nebraska bill had prevailed with the Democracy, instead of the present Southern platform, its flag would have been flying on every hill in Maine."

The Straight Whigs fared badly. The only important national office in Maine assigned to them was the collectorship at Waldoborough. The Republicans were glad to "rub the sore." The Rockland *Gazette* said in substance that before election the Democrats approached the Straight Whigs with the soft beguilement of Poor Pussy, Poor Pussy,—but that after election, when Pussy wants a share of the cream, it is only, Scat, you. But the Democrats of the Waldoborough district were much displeased that even this tiny saucer of cream was given to Whigs, especially as it came out of their pan.

Immediately after Buchanan's inauguration the Supreme Court gave its decision in the famous case of Dred Scott. The opinion of Chief Justice Taney, which was generally regarded as the opinion of the court, stated that a descendant of a negro slave could not be a citizen of the United States, and that Congress could not prohibit slavery in the territories. The decision was in truth another blow to the slave power and another nail in the coffin of the Democratic party, but most of the Democratic papers hailed it as a victory. The *Argus* said that it had caused "a great fluttering in Republican ranks, as well it may. It has cut them up root and branch, and dispersed their straggling forces even beyond the headwaters of Salt River. . . . Do they really intend to maintain the ground of disunionists, now that their own court has shown them to have been in the wrong? Or will they, as good citizens, retreat from their untenable position and submit cheerfully to the law of the land as it has been expounded?" A strange demand for a follower of Andrew Jackson.

The *Advertiser* at first took ground that suggests Douglas' later position, that whatever the formal legal right, the will of the people of a territory would determine the admission or exclusion of slavery. The *Advertiser* acknowledged that the decision was a nominal advance for slavery, but said: "In practice, however, the result in the territories is to depend largely on the competing powers of free and slave communities. Will the general government be strictly impartial in the new era of tremendous competitions? Will *agitation* be extinguished? We will see."

A few days later, on March 14, it described the various finalities and said: "Thus, during a period within the memory of middle-aged men, the extensionists of slavery—who curiously enough officiate as its most anxious settlers—have devised four settling finalities and destroyed three. How long will the last stand?

"Now what is the meaning of all this? What lesson does it give? Anything like this? Freedom and Slavery are irreconcilably hostile, and all

legislative and judicial shifts which are meant for the security and perpetuation of bondage must, in this free country, prove transient, and compel their inventors to expedients and inconsistencies.

"Let the people consider these things and see whether it is not time for Liberty to have something to do as a settler and finality. Slavery would seem to have tried its hand near long enough."

In reply to the assertion of the *Argus* that there was no choice between submitting to the decision of the Court and becoming a Garrisonian disunionist, the *Advertiser* said: "The Supreme Court is not a Grand Lama, before whom body and soul are to be prostrate in abject passivity. It is the creature of a free and intelligent people, bound to interpret their laws wisely, and whose voice is promptly respected not for its infallibility, but out of regard for the safety of the whole system of which the Court forms a part. The Judges differ—some of them err, and perhaps all of them (for they are all human), and time reverses their firmest decrees. If their judgments do not commend themselves to the best and general intelligence and morality of the nation, they become dead letters and ought not to stand. If they cannot be freely discussed, one judicial error may breed a hundred, and the people, through their sheer respect for law, may at last find themselves at the mercy of a lawless, because irresponsible despotism."

The Bangor *Whig* said: "That the decision will reopen the slavery question, in a form, too, more bitter and dangerous than we have yet seen it brought forward, there can be little doubt. . . . It is very obvious why this decision was not made public until after the presidential election; if it had been before the public at that time, the pro-slavery Democracy could not have carried a single free State."

The Republicans determined to again make the extension of slavery the issue of their campaign for Governor. Their State Convention resolved "that the License Liquor Law passed by the Legislature of 1856 is inadequate to the suppression of the evils of intemperance and that the public welfare can best be secured by a 'suitable prohibitory law,'[10] and believing that all laws should not only be both just and constitutional but permanent in their character and effect, and for the purpose of removing this great moral question from the arena of party politics, we recommend that any enactment designed to prohibit the sale of intoxicating liquors be submitted to the people upon some day other than that of our annual state election."

The action in regard to prohibition was approved by the leading Republican papers. The Kennebec *Journal* praised the call for the convention on the grounds that to mention State questions might seem dictatorial and that the Democrats would try to draw attention from the main issue, that of the extension of slavery.

The Portland *Advertiser* highly approved the action of the convention

[10] A quotation from the Democratic platform of the year before.

in regard to the prohibitory law. "As the measure of the people it will have force and efficiency, and be much more easily maintained upon the statute book. . . . By inducing a party to adopt it as a part of its creed, you inevitably carry the other party against it. The Bangor convention therefore wisely determined to leave this subject outside of the arena of party politics. It is best for temperance that it should be so."

There had been three principal candidates for the Republican nomination, Acting-Governor Williams, J. J. Perry of Oxford, for years an influential Democrat, now a Republican, and Lot M. Morrill. Before the convention met Williams, who saw that he had little chance of success, withdrew for the sake of harmony. Perry withdrew in the convention stating that he had steadily declined being considered as a candidate and Morrill was nominated by a vote of 585 to 16 scattering. The *Argus* said that Morrill was nominated because he could obtain the support of men of different views while Williams could not. It also declared that Hamlin had made Morrill a bob to his kite when the latter wished to be a Senator, but that Hamlin had advised him to "follow my example," and that Morrill had done so. "The aristocratic Senator from Portland (Mr. Fessenden) is not to domineer and have his own way any longer. He has got to submit, quietly or otherwise, to be laid on the shelf, and the sceptre, which aforetime, was swayed by Portland and anon by Bangor, henceforth is to be wielded by Augusta. There may be a little faint kicking and squirming by the Kents and the Fessendens, but it won't avail. While they slept, the snares were set and the game of which they are part, is already bagged."

Lot M. Morrill was born at Belgrade, Maine, on May 3, 1815. When thirteen he was taken by his father to a trial for burglary. The defense was conducted by Samuel Wells, the future Supreme Court Judge and Governor, and young Morrill was so impressed by it that he at once determined to be a lawyer. "Of all employments, it seemed to him that that of the advocate, who stands before the tribunals of justice to defend the rights and liberties of his fellow men is the noblest." He supported himself for some years by teaching school, attended Waterville College for a time, was admitted to the bar in 1839 and two years later moved to Augusta and formed a partnership with James W. Bradbury, afterwards United States Senator, and Richard D. Rice, later a Judge of the Maine Supreme Court. In 1853 he was elected to the Maine House of Representatives and two years later to the Senate.

"There were in Mr. Morrill's intellectual characteristics certain endowments eminently fitting him for the functions of a legislator, that are not usually found in common. He had the strong feelings and earnest convictions that belong to the enthusiast and the reformer, united with the practical sagacity that belongs to the man of affairs. He looked at proposed projects of law, as they would be likely to affect established institutions, existing conditions of society, with sentiments warmed and inspired by the ethical side of his nature. In debate he readily became ardent, im-

passioned, sometimes eloquent; at the same time he never permitted his moral enthusiasm to overwhelm and sweep away the limitations which legal science has established to define the boundaries. He had a more clear conception, perhaps, than some of his more conspicuous associates in the Senate, of what matters were fairly within the scope of remedial legislation, and how many desirable reformatory ends legislation was incompetent to achieve.

"Besides these high intellectual qualifications Mr. Morrill possessed, in his amiable disposition, in the purity and integrity of his personal character, in the guileless sincerity, frankness and directness of his manners, a basis for the high esteem and solid consideration in which he was steadily held by all the men associated with him in the responsibilities of public life."[11]

The Democratic convention nominated *Manasseh* H. Smith to run against *Lot* M. Morrill. The Boston *Journal* remarked: "Our friends in Maine seem to have taken to Scripture names on both sides,"[11] and had the editor been gifted with the second-sight, he might have spoken more strongly, for when Messrs. Smith and Morrill ceased to run, their places were taken by *Ephraim* Smart and *Israel* Washburn.

Mr. Smith had not been very prominent in politics, but in 1848 and 1849 he had been a member of the Council, and in 1856 had been a candidate for Congress. Indeed it was reported that his nomination for Governor was brought about by Farley, the former Whig leader, and Henry T. Ingalls of Wiscasset, because, having Congressional ambitions themselves, they wished to get Smith out of the way.

The Rockland *Democrat* said that Mr. Smith's grandfather had been a chaplain in the Revolution, that he himself was a graduate of Bowdoin, a lifelong Democrat, and not the nominee of a clique like Morrill. "Educated and refined, talented and social, Mr. Smith is one of the most entertaining and instructive men in the world. There is not a drop of aristocratic blood in his veins."

As in the preceding year the Republicans attempted to make the fight one over slavery. The Democrats insisted on discussing prohibition. The *Argus* declared that the Republicans had abandoned their demands for the abolition of slavery in the District of Columbia, the repeal of the fugitive slave law, the restoration of the Missouri Compromise, the refusal to admit any more slave States, and their war on the foreign population, and that the Maine Law was the vital principle of the party. At the same time it again endeavored to alienate the radical prohibitionists from the Republicans on the ground that the latter were deserting them. It pointed out that the *Temperance Journal* had declared that the vital issue before the Republican convention was prohibition, but that when the convention refused to make it so, it said that if the temperance men set up for themselves there would be a breach which would postpone prohibition indefinitely. The *Argus* claimed that Morrill had said in a speech at Durham: "I will not insult

[11]Talbot, "Lot M. Morrill," Coll. Maine Hist. Soc., II, V, 225-275.

your understandings by presenting so low an issue as the Maine Law. What do we care how much grog you drink. Take your bitters when you please. Only vote right."

The *Argus* said that a referendum such as was proposed by the Republicans would be unconstitutional and had been decided to be so by the highest court of one of the largest States in the Union.

The campaign was much less exciting than that of the year before and the number of votes fell off 22,000. The official count stood, Morrill, 54,655, Smith, 42,968, scattering 255.

The *Argus* at first treated the election as a sort of drawn game. It said "While therefore neither party has achieved anything which its friends deem worth crowing over, so neither has experienced a reverse that causes disappointment." A little later it manifested an inclination to crow, declaring that the Democrats had gained thousands of votes with no exertion, while Banks, Burlingame, Washburn and Morse had stumped the State for the Republicans.

The Bangor *Whig* claimed a triumph. It said that many young men, three-fourths of whom were Republicans, had gone West, that thousands had come back to vote the preceding year but very few this year, that Maine was safe for the Republicans for years,[12] and that where there was anything like a contest the Republicans had gained.

The Republicans were now obliged to draw a prohibitory law for submission to the people. With some difficulty one was prepared.

An earnest effort was made to allow the manufacture of liquor to be sold outside the State. In former years much molasses had been brought to Portland from the West Indies and made into rum and it was thought that a revival of distilling would help business. But the prohibitionists were on the alert; the attempt was defeated, and many provisions put in the new law which the more moderate men would have gladly left out. A separate act provided for a special election at which the people should vote for the license law of 1856 or the prohibitory law of 1858, the one receiving the most ballots to be the law of the State.

The Democrats attacked the referendum provision. The *Argus* declared that the courts of Rhode Island, New York, Pennsylvania, Delaware, Indiana, Wisconsin and Iowa had pronounced such laws unconstitutional. The editor said that he did not advise refraining from voting in June but that for himself he preferred to wait until September. The *Age* advised its brethren to do the same, "instead of wasting their energies in an idle and objectless contest with the ram-rod wing of the party on the 7th of June." The *Democratic Advocate* opposed voting on the ground that a referendum was of doubtful legality, contrary to the American theory of

[12]The Republicans elected their candidate regularly until 1879, a period of twenty-two years, though in 1863 they transformed themselves into the "Union Party," nominated a war-Democrat, and renominated him in 1864 and 1865.

government, and that the law, if passed, would settle nothing since the ramrods claimed the right to add "teeth" to it. The *Advocate* called the action of the Legislature a mean and cowardly shirking of responsibility.

The Democrats believed that a contest and a drawing of party lines would drive Republicans who were opposed or indifferent to prohibition, to vote for the law and that its enactment by a small vote only would deprive it of moral authority. The Skowhegan *Free Press* said: "In this vicinity, and we presume that it is so everywhere else except in Bangor, we propose to say at home, and let those who got up this submission humbug give it the finishing stroke. We intend to be quiet, and let every man vote for the new law who chooses to. Every man who does not vote for it will be against it, and there will be a far less number vote for it if party lines are not drawn, than if they are. We conclude that it will be more comfortable to let this election go by default, than contest it, and much more satisfactory to gain a big victory than none at all."

The Republicans seem to have feared to take the responsibility for the law. On the day of voting their leading papers declared that no man's party standing would be affected by any vote that he might give.

The attempt of the Democrats to prevent the polling of a heavy vote was successful. The number of ballots cast was 34,776, or 20,000 less than Governor Morrill received the year before and 63,000 less than the whole vote of that year. Of the votes cast prohibition had a large majority, receiving 28,864, against 5,912 for license.

The *Whig* said that the light vote was due to the farmers being busy with their fields, to the efforts of the Democrats to prevent voting, to the indifference of many, and to the moderate friends of prohibition taking counsel of their fears and not voting. Apparently the *Whig* had considerable sympathy with these gentlemen, for it said: "Hardly any friend of prohibition claims that the new prohibitory law is wise and judicious in all its provisions. Experience will develop its defects and point out the common sense remedies to future legislators." And the *Whig* urged "that the law be not murdered by injudicious enforcement."

The *Argus* declared that prohibition was doomed by the vote. The *Temperance Journal* speaking of the small vote in Penobscot County said, "Nothing else could be expected as the Republican press was a dumb dog that did not bark in reply to the previous attacks upon it. The most it did in that county was to faintly *mew* once or twice. It did not have spunk enough even to spit cat-fashion at the yelping curs, and the result is what every sagacious man must have foreseen."

In 1857 the Democrats had had a heavy burden to carry in the Dred Scott decision; in 1858 another was imposed on them, that of "Lecompton." The slavery men of Kansas held a constitutional convention at Lecompton, the free-state men refusing to take part in it on the ground that it was illegal, and submitted a constitution which, if adopted, was to be "with"

or "with no" slavery but under the constitution with no slavery the right of slave owners to their slaves which were in the territory at the time of the constitution and presumably to their increase was guaranteed and the constitution could not be amended until 1864. This violation of the much-lauded principle of popular sovereignty called forth sharp condemnation from Democrats themselves. Buchanan's Governor of Kansas opposed it, and Senator Douglas fought it with all his might. Many Democratic papers in Maine supported him. The Augusta *Age* called on the Democratic State convention to denounce the constitution if it should be adopted.

The *Argus* regretted such extreme action. It said: "The Democratic party is weak enough in the State without being divided and further crippled by introducing new tests," on a temporary question. "The sterling Democracy . . . will say . . . let us have no attempts to organize and array one portion of the Democracy against another portion; let us tolerate honest differences of opinion in a brotherly spirit."

The Republicans hailed the quarrel in the Democratic party with joy. The *Advertiser* was ready to open its arms even to the author of the hated Nebraska bill. It said, "There can be no doubt that this separation of Douglas and the Administration is complete at the present time, and that it may be made final by a wise, prudent and liberal course on the part of the Republican opposition. We gladly hail all fellow laborers, even though they do not join us until the eleventh hour. They will be received into full heirship into the Republican family, and for past misdeeds will be held accountable only by a Higher than human power."

But the *Whig* declared that the contest between Douglas and Buchanan was a personal fight and that the Republicans would gain nothing by diluting their principles.

On election day the Republicans again triumphed over the divided Democracy. The official returns gave Morrill 60,380 votes and Smith 52,440; there were 78 scattering.

The Democrats may have found some comfort a little later in the discovery that the Governor had "cribbed" his Thanksgiving Proclamation. Mr. Charles E. Bliss of Bangor, a Webster Whig who devoted much of his leisure to the study and enjoyment of *belles lettres,* noted a striking resemblance between the proclamation and a sermon by an eminent preacher of the day, Rev. E. H. Chapin. With no thought of publication Mr. Bliss mentioned the matter to a Democratic editor, who accused the Governor of plagiarism and proved it by the "deadly parallel." The *Argus* reproduced the article and also showed that other passages were much like portions of Beecher's *The Christian Commonwealth.*

Maine received some rather unpleasant advertising. The *Pennsylvanian* said that Governor Morrill's "recent proclamation has made his name a by-word in all sections of the Union." The Boston *Post* said that "The most serious objection to electing Governor Morrill United States

Senator from Maine is that the Rev. Mr. Chapin will be unable to go with him to Washington to make his speeches."

The year 1859 was a rather quiet one. The United States paid Massachusetts her expenses for national purposes in the War of 1812, and by the terms of separation Maine received one-third of this. There was a struggle between the followers of the Administration and those of Douglas, and the leading Douglas Democrats including Bion Bradbury, and Ephraim K. Smart, were removed from their offices. Bradbury was the only man who voted against the anti-slavery resolutions of 1849. The Douglas men are said to have threatened to run an independent candidate in the State election, though promising to be regular in 1860. Smart declared that if the Democratic national convention should favor Congress' enacting a code for the protection of slavery in the territories, he would not support the nominee. Some were inclined to expel him from the party but the *Argus* urged moderation. It said that Smart had done good work in the last Legislature, that it disbelieved in his theory that Congress and the people of a territory could exclude slavery therefrom, but that the question was practically unimportant, the so-called Free State party had been in power in Kansas for nearly two years but slavery had not been abolished there. It thought Smart was unwise to assume that the Democratic national convention would declare for a slave code and to announce what he would do in that case. The *Argus* also said that the convention should not express an opinion regarding the political power over slavery in the territories, that being a question for the courts.

In the State convention the Douglas men opposed the renomination of Governor Smith, putting forward Mr. Smart as their candidate, but were defeated.

The Republicans renominated Governor Morrill without opposition. The convention beside reiterating Republican doctrines on the subject of slavery blamed the Democrats for defeating the bill giving homesteads on the public lands to actual settlers, saying that this was a direct blow to the laboring classes of the country and another conclusive proof of the utter subservience of the Democrats to the Slave Power and of its hostility to Freedom. The convention pledged the party in the future as in the past to "the encouragement of manufacturing industry, the settlement of our public lands, the development of our vast resources, and the improvement and perfection of our Common School system."

The Democrats declared that it seemed little short of folly when the State had millions of acres of good lands needing settlers to insist on the grant of free homesteads by the national government. They also charged the Republicans with various misdeeds, actual or intended, in State matters. At the end of the campaign the *Whig* declared that it had been signally deficient in excitement and that in many sections positive dullness and inaction had prevailed. The Republicans won easily. The official count gave Morrill 57,230 votes and Smith 45,387; there were 35 scattering.

Chapter XV

THE EVE OF THE CIVIL WAR

PORTLAND HEADLIGHT, PORTLAND HARBOR

FORT ALLEN PARK, PORTLAND

HOME OF THE PEARLS, ORR'S ISLAND

CHAPTER XV

THE EVE OF THE CIVIL WAR

The year 1860 closed with the shocking discovery that the State Treasurer, B. D. Peck, a former minister of the gospel, was a defaulter to a large amount. In earlier days public officers had mingled their official and private funds, had received interest on public money deposited by them in banks, and had even used the money in their own business, and little or nothing was thought of it if no loss resulted to the government. But public opinion had grown stricter and in 1856 the Legislature of Maine had passed an act forbidding the Treasurer to loan the money of the State or to profit in any way from its custody, but the only penalty for a violation of the law was the forfeiture to the State of a sum equal to the amount wrongfully used.

Mr. Peck had been Treasurer for 1857-58-59. In each of these years he lent money to his bondsmen, and in 1858 he began to use his official position and authority to help him in his business. Several ambitious and hopeful gentlemen had formed a partnership and obtained a refusal of a saw mill and a right to cut timber on a large tract of land in Canada. But only one had any money to spare and he had no intention of risking it. Accordingly, they looked around for an "angel" to provide them with the needful cash and induced Mr. Peck to assume the part. He had indeed very little money of his own, but he not only obtained loans from banks who wished to oblige him because he had deposited public money with them, but drew State money for use in his speculation. Loans were also obtained from private parties. In justice to Peck's associates it must be admitted that if they contributed no cash, Micawber himself could not have been readier to pledge his credit. A legislative investigating committee said in its report: "They were all obliging enough to furnish Peck with notes to any amount, at any time, to be negotiated at any discount and to be paid by anybody—except the makers."

Peck had been tempted into the venture by assurances of large returns on a small outlay, but the expenses proved much greater than had been anticipated. A new saw mill had been built which it was thought would be in operation in July, 1859, but it was not ready until October, and in a little more than a month it was disabled by the collapsing of a flue. Peck was unable to raise money to meet his notes and by the last of December his "condition as a public defaulter was . . . a matter of such general notoriety as to have become a topic of newspaper comment." The final blow was given by the suspension of the Norombega Bank of Bangor, with which Peck had had numerous transactions. The cashier was a partner in the Canada enterprise and had illegally favored Peck to the injury both of the State and the bank.

The Governor publicly declared Peck a defaulter and prohibited depositories of the public money from honoring his checks. A joint committee of investigation was appointed by the Legislature and they made a report giving an account of Peck's misbehavior from his first assuming the office of Treasurer and stating their opinion of the liabilities of his bondsmen and other persons with whom he had done business. The representatives on the committee were appointed commissioners to make a just and equitable settlement with the bondsmen. There was an undisputed liability of the sureties for 1859 of $37,585.41 and a somewhat doubtful one of $4,038.44. The committee decided that for both practical and equitable reasons the State should assume the loss of the latter sum. The sureties offered in return for a full discharge $7,000 in cash, and $30,000 in notes of General S. F. Hersey and Walter Brown payable in annual instalments of $10,000, with a mortgage of land as security. The commissioners having satisfied themselves as to the value of the land accepted the proposal, complimenting the bondsmen on their honorable conduct.[1]

The bondsmen of 1858 denied their liability. They claimed that there was an understanding that the bond should not be delivered unless additional bondsmen were obtained and also that the seals were not affixed before or at the time of their signature. It seemed impossible to obtain a judgment. In 1869 Attorney-General William P. Frye said of the case, "I received this as a legacy from my predecessor, and transmit it to my successor unimpaired." In 1871 the Law Court decided that the defendants owed the State the face value of their bonds and interest, the whole amounting to over $64,000.

In the following winter the Legislature discharged two of the defendants, Dow and Cummings, probably the only sureties whose signatures were of any real value, on condition of the payment by each of $5,026.11.

There was also a loss by loans to bondsmen and by payment of State funds to persons who, it was alleged, knew at the time the payments were made that Peck was a defaulter. Most of the bondsmen had repaid their loans before the crash came but Congressman Somes, who had borrowed considerable sums from Peck, had disastrously failed in business and, said the investigating committee, was "understood to be hopelessly insolvent." Another bondsman who had received advances from Peck was Neal Dow. In return he gave Peck checks which were later exchanged for endorsements on notes. Mr. Dow promptly paid the notes and also paid into the State treasury the amount he had received, except $3,000 which he claimed that Peck had obtained from the sale of a note and had deposited to the credit of the State. In 1866 a court decided that Mr. Dow was not liable for this amount.

The investigating committee strongly recommended that suit be brought against two persons for money received from Peck and this was done the

[1]Legislative Reports, 1860, 1861.

next year, but the matter was not pressed until Thomas B. Reed became Attorney-General. Mr. Reed gave notice that the case must be tried. One of the defendants was dead and the other very old and the Legislature was applied to for leave to compromise. The requisite authority was given to the Attorney-General subject to the approval of the Governor and Council. The original suit was for $4,507.39. Mr. Reed accepted $3,200 as payment in full including taxable costs. He considered this for the best interests of the State since much of the evidence had been destroyed by lapse of time.[2]

The politicians, men who cared as much for success as for principle, were now coming to the front in the Republican party. The excitement over Kansas was dying down and various clever men thought that, having now corralled the strongly anti-slavery men, it would be well to cater to the old Whigs and others who opposed Buchanan, by taking a very moderate man for a candidate, perhaps one not hitherto identified with the Republican party. Such, however, was not the opinion of the Maine Republicans. The *Whig* in an editorial of February 17 announced that it favored Banks, Seward, Chase or Fessenden for President, and Lincoln, Cassius M. Clay, Frank P. Blair, or Henry Winter Davis for Vice-President, saying: "It is not now the time to take a fossil and galvanize him into life. A leader should be in the advance, not carried forward up the breach a dead weight on the shoulders of his men. . . . In a struggle like that of 1860 nothing can justify the selection of any but the fathers of the party for standard bearers, and no timidity of the result, no anxiety to catch a floating vote that isn't worth catching, or that entails an equal loss of party strength, can justify any other course."

Ten days later it was ready to make a small concession. It still opposed the choice as a Presidential candidate "of a nominal Republican who might lose as many votes as he would gain and whose election would be a doubtful advantage." "As to the *man*," said the *Whig*, "we would have our delegates go unpledged—we would have them go with the simple understanding that it is a *Republican*, and not a mere opposition convention which they are attending and consequently whatever allies the Republicans may have, their vast preponderance of strength entitles them to the chief candidate on the ticket. That something may be safely conceded as to the second nomination, may be true; and we should not oppose any proper arrangement of that kind."

The favorite candidate of the men holding these views was William H. Seward of New York, long a leader, perhaps one should say the leader, in the political opposition to slavery. He had been Governor of his State for four years and was now nearing the completion of a second term as her Senator. To his followers it seemed that he was in every way the natural and the fittest candidate for the Republican nomination and that his defeat

[2] Report of Attorney General, 1872.

would be the triumph of little men and scheming politicians. John L. Stevens, the editor of the Kennebec *Journal,* desired his nomination with all his heart and soul.

But two of the shrewdest politicians in the State, Hannibal Hamlin and James G. Blaine, were opposed to Seward's nomination. Mr. Hamlin believed that Seward could not be elected and also that he was better fitted for the Senate than the White House. His first choice for President had been Chief Justice Read of Pennsylvania, an earnest Republican, very popular in his State, and solid and sensible, if not brilliant, but Read had been set aside by Simon Cameron and Hamlin decided to support Lincoln, being much influenced by his Cooper Union speech, and also by the high opinion of him expressed by Stephen A. Douglas, and Elihu B. Washburne, formerly of Maine but now of Illinois. Mr. Blaine had been in Illinois during the Lincoln-Douglas debates, had heard Lincoln speak twice, and had conceived a great admiration for him. On February 28, the Republican members of the Maine Legislature held a caucus to choose the four delegates at large to the Republican national convention. There had been a general belief that they would be instructed to support Seward but Hamlin had been quietly exerting his influence against such action, and when Mr. Blaine offered a resolution authorizing the delegates to vote for the Republican "most likely to obtain the largest number of votes, principle being regarded as superior to men, and the triumph of the cause above everything else," the convention accepted it. They elected, however, Seward men as delegates. The persons chosen were George F. Talbot of Machias, William H. McCrillis of Bangor, John L. Stevens of Augusta and Rensselaer Cram of Portland. The result was agreeable to Mr. Hamlin, who "believed that if representative men were sent to Chicago, they would speedily see for themselves that the logic of the situation would dictate the selection of a man other than Seward." Blaine was less pleased. The Maine Senators had themselves been mentioned both within and without the State as candidates for the nomination, but each of them had refused to allow his name to be used. Blaine, however, believed that Fessenden had an excellent chance of being nominated and the delegates chosen were not as well disposed toward him as he would have wished. On March 6 Blaine wrote to Mr. Fessenden:

"My Dear Sir:—There was a very curious contest for delegates-at-large, and the result was very much the same as I anticipated in my last letter to you. The delegation is not such a one altogether as I desired, but I am utterly unable to do anything to change its character; so, also, of others, who feel an especial degree of friendship for yourself. The convention was boisterously demonstrative at the mention of your name, and I am quite sure that your friends had the most abundant cause to be satisfied and gratified with the spirit that was everywhere manifest.

"Governor Morrill would have been unanimously elected had he consented to stand, and even after positively declining he received nearly half

the votes of the convention. The Governor designs to go to Chicago, as does [*sic*] a large number from this section, but he had some peculiar objections to heading the delegates, and as he is a man of great sensitiveness of feeling, he could not be induced to risk certain *flings* which he thought would follow his election. He is a most cordial friend of yours. . .

"It was difficult in the convention to keep a resolution specifically recommending you from being offered, and it was only upon the assurance that you would not desire it that the movement was suppressed. Had it been introduced, it would have been idle to attempt any withdrawal of it; it would not have been permitted by the convention."

Messrs. Morrill and Blaine both went to Chicago, and all through the journey Blaine labored with his companion to induce him to support Lincoln,[3] but though he made an impression, the Governor was not a thorough convert until after his arrival at Chicago. What he saw and heard there quickly proved decisive, he became an earnest Lincoln man, and worked heartily with Blaine for his nomination.

Mr. Hamlin had been busy in Maine. The district conventions in general followed the example of the State convention and left their delegates unpledged.

"But in one district, which was then the second and now a part of the third, the Seward men made a determined effort to choose one of their number, Colonel John N. Swazey, a leading citizen of Bucksport and a man of influence in his party. When this move was reported to Senator Hamlin, he exerted himself to head off the Seward men. He instructed his son Charles, who was then beginning the practice of law at Orland, to concentrate the anti-Seward strength on some representative Republican who would go to Chicago unpledged. Mr. Hamlin conferred with leading men in Hancock County who were his father's friends, with the result that Capt. John West, of Franklin, was selected as their candidate. He had leanings towards Lincoln, and he was chosen also because he was a cool and reliable politician, and would be governed wholly by practical considerations in the Chicago convention. There was a sharp fight, and Captain West was elected by a small majority."

Two of Mr. Hamlin's staunchest followers, General S. F. Hersey of Bangor and Mark F. Wentworth of Kittery, had been chosen delegates and their leader's arguments convinced them that it would be unwise to nominate Seward. He advised them to canvass the delegates from the three great doubtful States of Pennsylvania, Indiana and Illinois and to obtain in writing the names of three men who these gentlemen believed could carry their States. A canvass was made. A majority placed the name of Lincoln on their memoranda, but only a minority wrote Seward's. This converted three other Maine delegates—George W. Lawrence of Warren, Leonard Andrews of Biddeford and Rensselaer Cram of Portland. Accordingly, on the three ballots taken for President, Maine gave Lincoln six votes and

[3]Doubtless Blaine thought that Fessenden should only be brought forward, as a compromise candidate in case of a deadlock.

Seward ten. On the third ballot Lincoln lacked only 1½ votes for a nomination. At once delegation after delegation changed their votes and he was nominated by a majority of over 3 to 1.

For Vice-President two ballots were taken. The first stood, Hannibal Hamlin, 194; Cassius M. Clay, 102½; John Hickman, 58; Andrew J. Reeder, 51; Nathaniel P. Banks, 38½. On the second ballot, Hamlin was chosen by a vote of 367 to 86 for Clay and 13 for Hickman. The nomination was due to various causes. The Seward men, sorely disappointed at the defeat of their leader, bluntly refused a request to suggest a nominee for Vice-President, and when the honor was offered to Governor Morgan of New York he promptly declined it. But New York was in favor of Hamlin,[4] and Senator Preston King worked actively in his behalf.[5] Ohio also favored him and as both these States had opposed Lincoln, his friends were glad to placate them by supporting their candidate for Vice-President. Moreover, the nominee for President was a Western man and a former Whig, and it was deemed reasonable that the other place on the ticket should be given to an Eastern man and an ex-Democrat.

The news of Hamlin's nomination was received in Maine with much enthusiasm. A letter to him from his brother Elijah describes what happened in Bangor. He says:

"About twelve o'clock I was awakened by a crowd about my house shouting your nomination for Vice-President. Augustus and I had to get up, and upon opening the door, the outsiders rushed into the house with loud cheers. After partaking of some refreshments, Augustus found a swivel and some powder, and a salute was fired in honor of the nomination.

"There was a call for some wadding for the gun. John Wingate tore off a piece of his pantaloons for wadding and continued to furnish wadding in the same way, and when the firing was over he had nothing left of his pantaloons but the waistbands. When the firing commenced in the afternoon, Wingate was fishing on your old grounds beyond Eddington. Upon hearing the first gun, he says, he gave such a jump and shout for the Republican nomination that he broke his watch crystal all to smash, and he produced the watch to show it. He immediately started for home, having some ways to come on foot, and in his hurry he damaged his pantaloons badly. He came into the city about twelve o'clock, at about the same time of the news of your nomination, and he said he would make a burnt offering of his pantaloons, and so had them fired off in wadding the gun. Wingate's performance has made a good deal of fun, and he says he is ready to be fired off himself if he could only kill the Democratic party.

"Two drums were obtained, and the crowd then went to the mayor's, Hollis Bowman, then to Wingate's, the street commissioner, and so on to other places until near sunrise. The nomination was everywhere enthusiastically received, and in some cases, persons came out just as they came out of bed. The Democrats complain that they had no sleep the last part of the night, there was such an infernal uproar in the streets.

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[4] It is probable also that New York was angry at the failure of Pennsylvania and the friends of Banks to support Seward and felt a revengeful pleasure in helping to nominate Hamlin instead of Banks, or Reeder or Hickman of Pennsylvania.

[5] Hamlin, "Hamlin," 345.

"There is to be a demonstration made in Hampden this afternoon, and I and others intend going down.

"The nomination takes well. The Democrats are sulky. Some have been heard to say that it will be of no use to oppose the ticket. I would congratulate you on the nomination, for whether elected or not, it is highly complimentary to you and our State."[6]

The Republicans of Bangor were by no means so happy over the principal nomination. The *Jeffersonian* said:

"We suppose if the people of Maine could alone have made a President he would have been Governor Seward of New York. He is the first and foremost man in America. . . . In many respects it would have been gratifying to have rallied under his spotless banner and had not the delegates, after a careful and friendly consultation, considered that in the peculiar state of the country his nomination would have endangered the result, he would have been at the head of the ticket."[7]

The *Whig* endorsed the nomination in a rather mild way and said that it was pleased that in the selection of a candidate the consideration of availability had been combined with that of principle, hitherto not enough regard had been paid to the former qualification. A little later the *Whig* described Lincoln in his debate with Douglas. It said that he was "always calm and collected, quick of perception and good natured, logical in the construction of his addresses, rising at times to passages of great beauty and power which rivalled in their eloquence the silver sentences of Clay."

Editor Stevens of the Kennebec *Journal,* on his return to Maine from the convention, had visited Mr. Seward and the meeting with his chief had only increased his grief and wrath. Gail Hamilton says that "For two days after reaching Augusta he did not go near Mr. Blaine, and when he did it was only to revert for a moment to theology, 'Here, you have got your man. Now take your d—d old paper and run it'," which for a time Mr. Blaine did.[8]

The *Argus* at first spoke of the Republican candidate as of a worthy, ordinary person. It said: "Mr. Lincoln is represented to be a man of respectable talents. The only figure he has made in public life was two years ago, when, as a candidate for the U. S. Senate, in opposition to Mr. Douglas, he stumped the State, and got badly beaten. The same fate awaits him, not only in his own State, but throughout the Union next fall."

Two days later it said that Seward, "the acknowledged embodiment and ablest leader of his party has been slaughtered by his own friends, and must now be content to see the highest honors within their gift placed upon the brow of a provincial rival. . . . We do not mean to say that Mr. Lincoln is destitute of ability of that peculiar type which secures local popularity in the West, but to compare him with Mr. Seward in point of statesmanship would only add to the mortification of his disappointed friends who are now mourning over the obsequies of their devoted chief."

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[6]Hamlin, "Hamlin," Chap. XXVII.
[7]*Jeffersonian,* May 22, 1860.
[8]Gail Hamilton, "Blaine," 129.

The Democratic national convention met at Charleston on April 23, 1860. The great question was whether Douglas and popular sovereignty or the extreme pro-slavery men and Dred Scottism should triumph. Three reports were presented by the platform committee. That of the majority signed by seventeen members reaffirmed the Cincinnati platform with the addition of the principles of the Dred Scott decision. The minority report signed by fifteen members also reaffirmed the Cincinnati platform and added "a promise to abide by any future decision of the Supreme Court as regarded slavery in the territories."

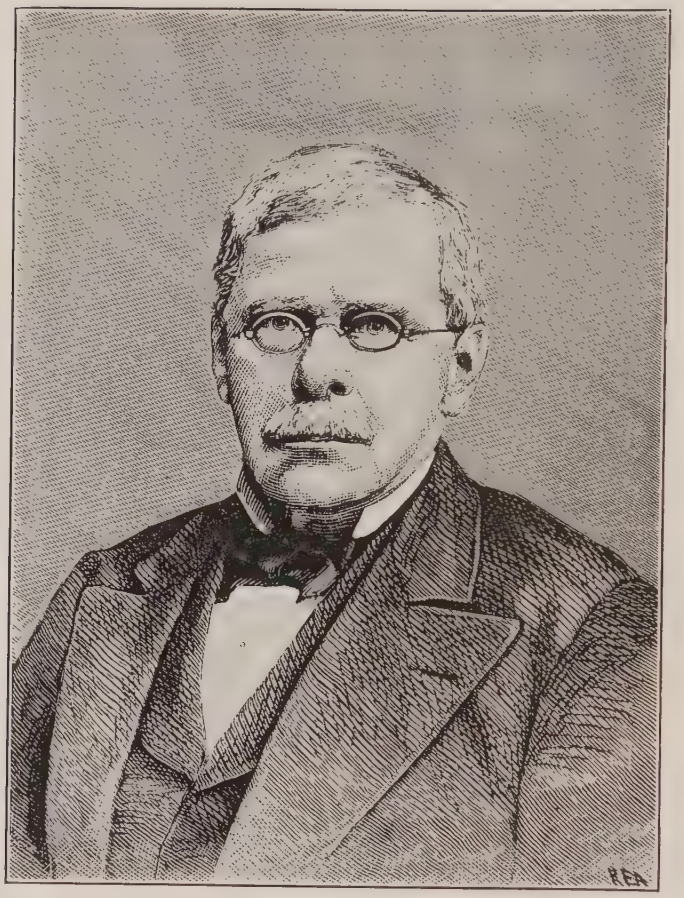
A third report signed by Benjamin F. Butler reaffirmed the Cincinnati platform without appendix. The convention adopted the first minority report whereupon all or a majority of the delegates from South Carolina, Florida, Alabama, Mississippi, Louisiana, Texas and Arkansas left the convention. Those who remained balloted fifty-seven times and adjourned to Baltimore. At that city there was another secession and those who were left nominated Stephen A. Douglas. The last seceders nominated John C. Breckenridge of Kentucky. Their action was ratified by a convention of original seceders and others held at Richmond. Through all these disputes the Maine delegation had supported Douglas.

A Constitutional Union party composed chiefly of old Whigs, nominated John Bell of Tennessee for President and Edward Everett of Massachusetts for Vice-President.

In Maine both the Republicans and the Democrats presented a new candidate for Governor. The Republicans chose as their standard-bearer Israel Washburn, Jr. Mr. Washburn came of good old New England stock. At a meeting of the Maine Historical Society held for the purpose of paying honor to the memory of Governor Washburn, ex-Governor Perham said:

"It was my good fortune to have some acquaintance with the father and mother of Mr. Washburn. They were eminently worthy to be the parents of a family so distinguished as theirs has been. The father was a gentleman of the old school, possessing good common sense, strict integrity and an unusual fund of general information. The mother represented the best type of the New England woman. She possessed energy, determination and courage that would not waver in the presence of any obstacle, however formidable. These qualities she transmitted to her sons; and with the practical common sense and solid merits inherited from the father, we find, in part at least, the secret of their success."

Other Maine families, such as the Kings, the Hamlins and the Morrills, have given two or perhaps three unusually able brothers to the service of the State, but of the seven sons of Israel and Martha Livermore Washburn who reached manhood, four,—Israel, Elihu, Cadwallader and William,—were Representatives in Congress from the States of Maine, Illinois, Wisconsin and Minnesota respectively, the first three serving together in three successive Congresses. Two of them, Israel and Cadwallader, were Governors



Israel Washburn Jr.

of their States, and Elihu was for a brief period Secretary of State and was then appointed Minister to France. Another brother, Charles A., was Minister to Paraguay. Both Cadwallader and William Washburn accumulated large fortunes.

Israel, the oldest son, was born June 6, 1813, on the family farm, the Norlands, Livermore. By nature fitted for study and scholarship, his parents' lack of means deprived him of a college education, and at eighteen he began to fit himself for the practice of law, and at the age of twenty-one he was admitted to the bar. He settled in Orono where the lumber industry gave occasion for much legal business and he soon built up a lucrative practice.

In 1848 the Whigs nominated him for Congress but the district was strongly Democratic and he was defeated. At the next election a split in the victorious party offered a hope of success. Mr. Washburn ran again and won. His services gave such satisfaction to his constituents that he held his seat for ten years until his nomination for Governor in 1860. Representative Washburn had not the advantage of a fine presence, he was short and thick-set, but he was hearty and cordial, was a very fluent speaker, with a quick mind, a remarkable memory, great power of assimilating knowledge and of selecting from a mass of material what was really important and presenting it in a clear and logical manner. He was also well versed in parliamentary law. This knowledge and his whole-souled opposition to slavery made him a leader in the fight in the House against the Kansas-Nebraska bill. He strongly sympathised with the efforts of Preston King and others, to unite the anti-slavery Whigs and Democrats in a new party to resist the aggressions of the South, and the morning after the Nebraska bill was passed to be engrossed Mr. Washburn gathered about thirty of the most thorough-going opponents of slavery in the room of two Massachusetts Representatives and urged the necessity of forming a new party. By what name should they call it? "Much was in a name, and Mr. Washburn suggested that 'Republican' was the most proper, the most suggestive, and the least objectionable that could be adopted. It was a name to conjure with, honorable in its antecedents and in history, and under it people ever so much divided in their political views on other and minor questions could unite on a footing of perfect equality and with no implied surrender of principles or convictions. The idea was received with enthusiasm by every member present except one, who was not yet prepared to give up the long-cherished Whig name and party; and with this exception, when the meeting adjourned they all felt that for them there was no longer either a Whig or Democratic party." A few days later in a speech at Bangor Mr. Washburn gave public expression to his views.

Mr. Washburn was a most energetic man, vehement in stating his opinions, yet free from bitterness. He was ambitious and his ambitions were only partly satisfied. Successful as Representative and as Governor, he

aspired to a seat in the United States Senate but was never able to obtain the Republican nomination. His later political life, however, was lucrative if not distinguished. In 1863 President Lincoln appointed him collector of Portland and he held that very well paid position for nearly fourteen years. In 1877, his term having expired, he was succeeded by Lot M. Morrill, who like him had been Governor of Maine but who had also served fifteen years in the United States Senate and had been Secretary of the Treasury for a brief period. If Mr. Washburn seriously desired a reappointment, it must have added to his chagrin that one who had enjoyed the prize he missed should also deprive him of the minor office which he had held so long.

Mr. Washburn combined with his political zeal a strong interest in history. He was "an early and constant friend" of the New England Historical and Genealogical Society and a most loyal and devoted member of the Maine Historical Society. He contributed articles to the "New England Historical and Genealogical Register," published a local history, "Notes Historical, Descriptive and Personal, of Livermore," and wrote for the Maine Historical Society an able and full account of the North Eastern Boundary Controversy and two long biographical articles on Chief Justice Shepley and George Evans.

A politician, a student, somewhat of an antiquarian, Mr. Washburn had also a keen appreciation of poetry and of the beauties of nature. He wrote articles or delivered addresses on Lamb, Landor and Burns. The editor of the *Christian Leader* said of him: "Had he lived in their day he would have been of the guild which included Swift, Steele and Addison, and what he could do that he appreciated in others. His love of the literary masters—particularly of Lamb and Landor, was a passion." Another friend said: "He loved nature. Raised among the hills of 'Old Oxford,' her sweeping vales and foaming floods were dear to him. The daisies, violets and roses, the rocks, rills and groves, caused him to have an intense love of freedom and its handmaid, poetry. Hence he delighted in Burns, who was the poet of nature and the people. How earnestly he would chat with one who loved this wonderful genius." Burns' best poems "stirred his heart in the same way the victories won by our boys in blue did during the war."

Mr. Washburn was a member of the Universalist church, and always showed himself a loyal and devoted son. "He was present and an active participant in the first meeting that was called to take the initiative in the starting of Tufts College." He was a member of the corporation from its formation until his death, for the last ten years of his life its president, and was offered the position of president of the faculty, as the head of the college was called, but declined it. He was a wise and liberal friend of the Universalist academies. The Church of the Messiah, India street, Portland, being in danger of passing out of the hands of the parish, was saved from such a fate by the prompt and generous act of Mr. Washburn, who on his own individual responsibility stepped forward and purchased it

at the cash cost of some $12,000, giving the parish the opportunity of redeeming it at its leisure. It was highly fitting that Israel Washburn should be a member of the church whose corner stone is belief in the salvation of all men, for his most striking characteristic was a full genial confidence in the triumph of right.

A former Portland pastor said: "He was loyalty itself. His enthusiasm was a noble contagion. He was the most hopeful man I ever knew; and back of his hope was an unfaltering courage." W. W. Thomas said, "The manner of his intercourse was like a sunbeam." The resolutions which the Portland Fraternity Club entered on its records stated that "His cheerful temper and hopeful views entitled him to the appellation of our chief Optimist, for he never failed to look on the bright side of every question, and to find a silver lining to every cloud. The cordiality of his manners, the heartiness of his hand grasp and the cheeriness of his voice, endeared him to all our hearts."

Ex-Governor Perham said: "His faith in God as the loving Father, solicitous for the welfare of His children, and in the final triumph of good over evil, always unwavering, seemed to strengthen with his years; and no one could listen to his earnest words, in his public efforts, or private conversation, as he expressed the deep convictions of his soul on these and kindred subjects without feeling himself raised to a higher plane of spiritual existence."[9]

The Democrats nominated for Governor a different kind of man, that clever and versatile politician, Ephraim K. Smart, of Rockland. As usual great efforts were made to poll a large vote at the election for Governor in September. The campaign was sharply fought. Mr. Douglas himself came to Maine and spoke at meetings in Portland and Bangor. He also made various rear car speeches. Maine was much interested in the Pacific Railroad bill and at Portland Douglas asserted that this and other bills had failed of consideration because of the time taken up by the agitation of the slavery question. As an illustration of his popular sovereignty doctrine he said that whether there should be a prohibitory law in Maine was a question for Maine and for Maine alone. The *Whig* in describing the great Democratic rally at Bangor said that Douglas "addressed the audience in the *same old speech* of an hour and a half which he has delivered all along the route." Seward also spent a short time in Maine. The *Whig* of August 13 stated that on the 11th it was rumored that Mr. Seward would arrive on the Boston-Bangor boat. A crowd gathered at the wharf and followed him to the Bangor House where he held an impromptu reception. There was also a great crowd before the hotel and Mr. Seward came out on the steps accompanied by Mayor Stetson, who thus addressed him: "The Republicans of this city desired your nomination for the Presidency at Chicago, and confidently expected it, and they would

[9] "In Memoriam—Israel Washburn, Jr."

not forgive me if I failed to assure you how profoundly they cherish the teachings of your whole life, and how deeply they regret the fact that the majority took a different direction. Our hope is that the principles that you have inculcated may guide the Republican party and that you may be spared to pilot the Ship of State amid the dangers that surround it."

To this somewhat embarrassing speech Mr. Seward made a brief reply, saying that Maine's interests were those of free labor, and that her fisheries, for example, could never be carried on by slaves and that "all Maine men should vote for the free labor candidates, the able and upright statesman of the West, Abraham Lincoln of Illinois, and your own talented and able citizen whom I am happy to meet with here this day, the Hon. Hannibal Hamlin of Maine."

Candidate Ephraim K. Smart took the stump in his own behalf and made vigorous war on his opponents. He was met foot to foot by the Republican State Chairman, James G. Blaine, who had often crossed swords with him in the Legislature. Mr. Blaine went up and down the State, ruthlessly exposing the political inconsistencies and turnings of the Democratic nominee. Mr. Blaine was a student of the Bible and theology as well as of politics and he usually began his speeches by saying, "Ephraim is a cake not turned," and adding, "I propose to turn him."

Mr. Smart was not the only candidate whose political past was brought up against him, the legislative records of Douglas, Hamlin and Washburn were searched for votes which were, or might be represented to be contrary to the interests of Maine. The Democrats gave considerable attention to State issues. Smart called on Washburn to say whether he would repudiate corrupt State officers, remove the warden of the State prison, and veto any bill appropriating $250,000 to build a new prison, and to promise that he would not give official favors to Blaine or to men implicated in the Peck defalcation.

The campaign was made picturesque by the Republican marching clubs known as Wideawakes. They were formed of young men, many below the voting age, wore firemen coats and helmets and carried torches. Maine clubs took part in processions in Boston and New York.

There was no doubt of the election of Washburn, the question was only of the size of the Republican majority. But this was most important because of the effect on the rest of the country. The Peck defalcation had furnished ammunition to the enemy, most of the nominees for Congress were new men and early in the campaign Hannibal Hamlin saw reason to fear that the Republicans were shouting while the Democrats were working. He expressed his views to the Republican managers in Maine with great plainness, and wrote to several national leaders urging them to help start the campaign. Mr. Lincoln also became alarmed. He heard that Hamlin had written to Schuyler Colfax[10] expressing a fear that

[10] A popular and influential Congressman from Indiana. He later became speaker and vice-president.

the Republicans would lose two Congressional districts in Maine and that Washburn's majority would not be over 6,000. He therefore wrote to Mr. Hamlin, "Such a result as you seem to have predicted in Maine would, I fear, put us on the down hill track, lose us the State elections in Pennsylvania and Indiana and probably ruin us on the main turn in November. You must not allow it."

But by this time the Republicans were fighting well and they succeeded in electing all their Congressmen and giving Washburn a majority considerably larger than that of Morrill the year before. The vote was the largest ever cast, 124,135. Washburn received 70,030 votes, Smart 52,350, Barnes, Constitutional Union 1,735 scattering 20; Washburn's majority 15,925. Morrill had received a majority in 1859 of 11,808.

On September 11 the *Argus* said: "The election is over, we have met the enemy and they are *not* ours. Our Republican opponents confess that their probable majority in the State is to them unexpectedly large, and they rejoice accordingly; while Democrats console themselves with the reflection that they are not so badly beaten as in 1856; and that although they did not defeat the enemy they scared him awfully." A month later the *Argus* had arrived at the comforting conclusion that if the Democrats throughout the country made as much gain as the Maine Democrats had done, Mr. Lincoln would be defeated. But some weeks later the October States were lost, and the *Argus* admitted that the returns were "of the darkest hue and sufficient to satisfy the most rabid Black Republican."

November fulfilled the promise of October, and Lincoln was given a large majority in the electoral college and led in the popular vote, though there he failed to obtain an absolute majority.

The presidential campaign was followed not, as is usually the case by a period of rest and perhaps of good feeling but by one of the greatest excitement and alarm. The question of the lawfulness of secession and of the legal and moral right of the United States to compel a dissatisfied State to remain in the Union became at once the subject of vehement discussion. A great cry went up in the North for concession and compromise. Business was frightened. Many Republicans who had no wish to yield Northern rights or admit slavery to the territories, yet preferred acquiescence in secession to civil war. The New York *Tribune,* the leading Republican newspaper, said that if a State deliberately chose secession "those who rushed upon carnage to defy and defeat it would place themselves clearly in the wrong." The *Whig* quoted the article and expressed substantial agreement. The Bath *Times,* a Douglas paper, declared that it would allow South Carolina to secede and stay out until her business was ruined, her population depleted and her property deprived of its value.

By the middle of January the *Whig* had grown a little firmer. Senator Seward had proposed as a compromise that Kansas should be admitted as a free State and the rest of the territories as two States, (if practicable),

one free and one slave. The *Whig* expressed doubt if this would satisfy the Border States but said that the great question was "whether traitors are to be allowed to break up this Union by seizing government forts and defying the authority of the Republic, by seceding without even consulting sister States, and without even making any propositions for the settlement of the difficulties. In short, whether the right of secession exists. Let Southern men who profess conservatism unite with the North against this destructive doctrine, to suppress rebellion and sustain the government,—and we can then with a better grace consider the question of a settlement of the territorial question."[11]

The *Argus* as might have been expected was from the first for concession and surrender. On December 14 it proposed that a constitutional amendment be passed allowing each State to secede at pleasure. There would then, it said, be no fear of oppression and no danger of war and New England should not object as she was constantly becoming relatively weaker in the Union.

Among the measures of conciliation suggested was the repeal by the Northern Legislatures of their "personal liberty laws," which seriously interfered with the return of fugitive slaves. On the meeting of the Maine Legislature, Governor Washburn in his address advised them to carefully examine the laws, repeal such as were not constitutional, but maintain such as were so. In his opinion, what might have been yielded as a friendly concession must be refused to threats.

He also spoke in strong terms of the necessity of maintaining the rights of the majority and of the duty of the President to enforce the laws, and declared that only an amendment of the Constitution could give a State the right to secede.

But many of the Republicans in the Legislature while agreeing with the Governor that the laws should be maintained were willing to abandon the personal liberty acts. To influence them a great public meeting was held at Portland, attended by such leading Republicans as J. B. Brown, W. W. Thomas, John Neal, F. C. Hersey and S. A. Leavitt; the last named gentleman had taken an active part in the passing of the liberty law of 1855. With their assent the meeting passed resolutions that no State had a right to secede and that it was the duty of the government to protect the forts and public property and enforce the revenue laws but that to manifest the attachment of the State to the Union and its disposition to remove all occasion for complaint "it was expedient to repeal the liberty laws."

A little later there was another and more Democratic meeting. The *Whig* said: "A second 'Union Meeting' was held in Portland on Tuesday evening, to give Mr. F. O. J. Smith an opportunity to make a speech. He wasn't satisfied with the resolutions of the first meeting. According to the *Argus*, he took the ground that slavery was an institution of divine ordina-

[11] *Whig*, Jan. 16, 1861.

tion, that slaves were recognized as property by the Constitution, and therefore Congress was bound to protect slaveholders in their property wherever it might be. He argued for peacable secession and that coercion should not be used towards the seceding States. And resolutions were passed in favor of the Crittenden Proposition."[13]

In 1855 the Legislature of Maine had passed laws requiring county attorneys to act as counsel for all persons arrested as fugitive slaves, making illegal the use of jails or other public buildings for the detention of such persons, prohibiting a State officer from aiding in their arrest, in his official capacity, and forbidding police judges and justices of the peace from taking cognizance of any case relating to a fugitive slave. These laws were retained with verbal changes in a revision of the statutes in 1857. One of these alterations was the omission of the reference to official capacity in the law forbidding State officers to aid in the arrest of alleged fugitive slaves. On February 13, 1860, the House of Representatives asked the Supreme Court of Maine if these laws contravened the Constitution or any constitutional law of the United States. Five opinions were given, each signed by one or two of the eight judges. All the judges were of the opinion that the State could control the use of its buildings and fix the duties of its officers but that it could not forbid them from assisting in enforcing a law of the United States in their private capacity. But on the question whether the revision of the statutes actually did this the court was divided.

The judges were uncertain what the law was; the Republicans, who had an overwhelming majority in the Legislature, differed as to what it ought to be. Some wished to repeal the law prohibiting State officers helping slave catchers, others merely to amend it so as to clearly state that the prohibition related only to official acts. The action finally taken was thus described in the *Whig:* "An exciting debate occurred in the House on Friday afternoon . . . between Messrs. McCrillis of this city and Blaine of Augusta. The House went into committee of the whole, and Speaker Blaine took the floor and made an able speech favoring the repeal. He was answered by Mr. McCrillis, who made an able speech of an hour, in which he argued against the repeal, and urged the passage of the amendment act. Although made entirely without preparation, Mr. McCrillis' speech is said to have been *the* speech of the session. The vote stood 47 for the repeal, 67 against it," and the act was simply amended.

An attempt to increase the efficiency of the militia failed because conservative Republicans joined the Democrats in opposing it.

Attention was now centred on the question, what will Mr. Lincoln do? He had carefully refrained from any public expression of opinion, but on his way to Washington he made several brief speeches. That on leaving Springfield was full of noble and tender feeling, and appreciation of the

[13] An elaborate and reasonably impartial compromise proposed by Senator Crittenden of Kentucky.

magnitude of the task that awaited him; at Philadelphia, before raising a flag over Independence Hall, he proclaimed in earnest, unpremeditated words his loyalty to the principles of the declaration of independence. Other speeches were less admirable. They were very informal, to Easterners they seemed undignified; and they gave the impression that the President-elect had no realization of the gravity of the crisis. The *Argus,* looking on but one side of the shield, said that it took back all its complaints of Lincoln's not speaking, and that it sincerely wished "for the credit of the country that the 'mum' policy had been continued until official advisers could have prepared an address for him." Of the beauty of the inaugural on March 4 it showed some appreciation, but could not forgive the President for failing to promulgate a policy. It said: "The address does nothing. Aside from this deficiency, all important it is true, there is much to commend in the address. Its language is calm, without a grain of acrimony or bitterness, and some points are well reasoned. . . . On the whole, as before remarked, the address falls far short of what was hoped and expected; but as it is obviously the work of Mr. Lincoln, and as its shortcomings are evidently the result of the lack of capacity rather than of purpose, its deficiencies excite a feeling of pity instead of a disposition to censure."

Stephen A. Douglas had manifested an intention of supporting the President and the *Argus* made the comment that his magnanimity was right, should it fail in keeping Mr. Lincoln to a peace policy " he will upon the first movement for war, turn upon his administration with a power that will, we trust, compel it to refrain from so suicidal a course." The crisis was fast approaching, but the *Argus* did not change. On March 20 it quoted with approval a letter from a Southerner in which the writer stated that he believed that the seceded States would return if among other concessions "the agitations of all questions connected with slavery, except for the protection of the constitutional right of the master, shall forever cease."

On April 11, the day before Sumter was bombarded, the *Argus* declared that if war came, the Democrats would not fight.

The *Advertiser,* now owned by F. O. J. Smith, took a very different tone. On March 8 it approved the President's announcement "that he intends to enforce the laws and to ignore the secession of any State from the Confederacy (that is, the Union). This declaration will soon bring our present controversy to an issue; we shall know whether the Federal government has sufficient vital and inherent power to sustain itself against domestic foes; if it has not, the sooner a new Confederation is formed the better; if it has, the sooner the fact is proved the nearer will be the restoration of peace and harmony between the sections."

The test came quickly. In the early morning of April 12, General Beauregard opened fire on Sumter; on the evening of the 13th the fort surrendered; on the 15th, President Lincoln called for volunteers and the North rose to save the Union.

Chapter XVI

THE CIVIL WAR—POLITICAL HISTORY

CITY HALL, PORTLAND

POST OFFICE, PORTLAND

UNION STATION, PORTLAND

CHAPTER XVI

THE CIVIL WAR—POLITICAL HISTORY

President Lincoln's call for volunteers met with a quick response in Maine. Throughout the State there were great public meetings to pledge support to the Government. Many Democrats joined in thus upholding the hands of a "Black Republican" President. James W. North says in his history of Augusta:

"Civil war was now inaugurated. The general feeling of the citizens of Augusta was promptly and without reserve to sustain the Government in enforcing the laws. Some, however, ridiculed and loudly denounced the use of force against the South; but as intelligence was received from various parts of the country of the general uprising, and particularly as the noble stand taken by Stephen A. Douglas on the side of the Government was flashed over the wires to the great joy of all patriots, the latter class were diminished or became more cautious in the expression of their sentiments.

"Thursday, April 18th, the Pacific Fire Engine Company, led by the Augusta Band playing patriotic airs, marched around in the city to elicit sentiments and feelings in relation to the war. They first visited the Augusta House, and by cheers for Governor Washburn brought him to the piazza. He addressed them in earnest and patriotic words. All parties, he said, were uniting to support the Government, and it should be remembered to the credit of members of the Democratic party that they were putting aside party names, and party issues, and party purposes, and supporting an administration chosen against their votes. His remarks were applauded, particularly the allusion to the Democrats. The company next marched, the band playing 'Yankee Doodle,' to the house of James W. Bradbury, and by cheers called him out. He declared it was no time to enquire how and by whom the difficulties were brought upon the country; that it was the duty of every patriot to sustain the Government and defend the flag of the country. Judge Rice, who happened to be at Mr. Bradbury's, was called out, and expressed equally sound and patriotic sentiments. The company, swelling in numbers, went to the residence of Governor Morrill, and by rousing cheers brought him to the door. He declared his unwavering confidence in the result of the issue raised by the red hand of traitors against the best government on earth. It was time, he said, to try the faith of men in a good government, to test their patriotism and to bring true men into political concord. 'This patriotic stir of our young men' is said to have given 'great satisfaction to many.' It doubtless showed a gratifying feeling in prominent men of opposing political parties, to unite in a cordial support of the Government against traitors who threatened its destruction.

"To ascertain more fully the temper and disposition of the citizens, and to give expression to their sentiments and feeling, a public meeting was called at Winthrop Hall, on the evening of Monday, April 22d. Men of all parties and in great numbers assembled. Reuel Williams was chosen to preside, and was assisted by ten vice-presidents.[1] On taking the chair,

[1]Vice-Presidents: Lot M. Morrill, Samuel Cony, Daniel Williams, B. A. G. Fuller, Sylvanus Caldwell, Jr., Ai Staples, G. W. Stanley, George W. Morton, R. A. Cony, J. L. Child. Secretaries: William R. Smith and Joseph A. Homan.

Mr. Williams, in reviewing the condition of public affairs, declared his belief in the severity of the struggle which had come suddenly on the country, cautioned his hearers against underrating the power in rebellion, and patriotically exhorted them to stand by the Government in its efforts for self-preservation. Daniel T. Pike offered resolutions declaring it to be the duty of every American citizen to yield 'an earnest, unwavering and patriotic support to the general government,' and that it was 'the duty as it would be the pleasure of Maine to respond with promptness and alacrity,' 'both in men and money, to the call of the Federal Government,' and 'that property as well as population should respond to the exigencies of the Government in this hour of common peril.' 'That the cities and towns should be empowered by the Legislature to make provision for the families of those who leave their homes as volunteer soldiers to uphold the flag of the country,' and urging upon the city government to make liberal provision for the families of volunteers. The meeting was then addressed by the venerable Nathan Weston, Robert A. Cony, James W. Bradbury, Lot M. Morrill, James G. Blaine, William R. Smith, Joseph A. Homan and John L. Stevens in a spirit of concord and unity. The resolutions were then unanimously adopted, and the meeting adjourned with three hearty cheers for the Constitution and the Union."

On the same day a great meeting was held at Bangor, presided over by Hon. S. H. Blake, a Douglas Democrat, and with a long list of vice-presidents, among whom was Hastings Strickland, an old Democratic war-horse and a supporter of Breckenridge. In Portland an enthusiastic meeting was held at the City Hall on April 16. The *Transcript* says that "Democrats and Republicans vied with each other in expressions of determination to stand by the stars and stripes," and mentions C. F. Kimball, "who, as a Democrat, was sad about the South, but when the war was over wanted it known that Maine was there."

Some of the Republicans even favored political concessions. It was proposed that at the coming election Governor Washburn be dropped and a less ultra man nominated in his place. The suggestion, however, met with great opposition. The *Whig, Jeffersonian*, Rockland *Gazette*, Calais *Advertiser* and Kennebec *Journal* all condemned it, the last paper in very sharp language. The convention met on August 7 and nominated Washburn unanimously. Its platform, however, was extremely conciliatory. It endorsed the Crittenden resolutions recently passed by Congress, which declared that there was no intention of interfering with slavery, but that the war was waged solely for the preservation of the Union. The convention invited a union of all who were in favor of suppressing the rebellion, and resolved "That we most cordially recognize and appreciate the unselfish devotion to country manifested by the great mass of the Democratic party throughout the loyal States under the patriotic inspiration of their late distinguished and greatly lamented leader, Stephen A. Douglas.[3] The mem-

[3]Mr. Douglas had died early in June, and the Republicans honored his memory. Governor Washburn ordered the flag of a regiment then at Augusta to be lowered in his honor, saying: "The country mourns the loss of a statesman and a patriot. Let party differences be hushed at the portals of his tomb, and let us remember only his undoubted patriotism and his steadfast devotion to the Union."

bers of that party, both native and adopted citizens, have come forward to the defense of the common flag, with a zeal which challenges our warmest admiration and receives our heartiest acknowledgments."

Although the State convention had refused to make concessions in the matter of nominations, some of the local conventions were more liberal. The Bangor Republican caucus nominated as one of its candidates for Representative, S. H. Blake, whose name stood first on the ticket of the Douglas Democrats. The Penobscot county convention nominated two Democrats, John A. Peters and Charles P. Stetson, for Senator and County Attorney. The Cumberland convention left to the Democrats the nomination of a County Treasurer and a Senator from Portland, subject to the approval of the Republican county convention, and the Republican delegation from Portland, respectively. In Knox a Union ticket was agreed on, and Ephraim K. Smart was nominated for one of the two senatorships.

Neither party, however, was ready to amalgamate with the other, and in most counties and districts each placed full tickets in the field; indeed, the Democrats offered two, the party dividing on the lines of the presidential election of the fall before.

The Breckenridge State committee issued a call for a convention at Bangor, inviting to participate in the choice of delegates "all men by whatever party name heretofore known who are opposed to this unholy civil war, and in favor of the immediate restoration of peace by negotiation and compromise." Marcellus Emery, the editor of the Bangor *Democrat,* announced that every one was "welcome to participate in the selection of delegates who desires to make opposition to the war the paramount issue of the campaign."

The people of Bangor were much stirred by these declarations, and it was resolved to prevent the holding of such a convention in the city. The corporators of Norombega Hall voted, only two dissenting, not to open the hall to traitors.[1] On August 10 a great meeting was held and passed resolutions denouncing rebel sympathizers and "protesting without distinction of party against any convention assembling in this city to brand as an unholy war the sacred cause for which the volunteers are now perilling their lives." It declared that "that pestilent sheet, the Bangor *Democrat,* was guilty of treason and all connected with it unworthy of respect or confidence."

Words were soon followed by deeds. From the opening of the war, Mr. Emery had opposed it in the most violent manner. His two papers, the *Daily Union,* formerly a "Straight Whig" organ, and the weekly *Democrat,* indulged in the most abusive language, and were in turn denounced and scorned by those who believed the Union worth fighting for. Less than a fortnight after the fall of Sumter the Bangor Merchants' Association resolved that its reading room should be purged of all disloyal journals

[1] *Jeffersonian,* Aug. 6, 1861.

published in the loyal States, and that "the *Union* and *Democrat* by its bold and unblushing advocacy of the cause of secession and rebellion, and its violent denunciation of the Government, has justly brought upon itself and its supporters the contempt and detestation of all honorable men; and this Association direct that it shall no longer be placed in our Room, and earnestly call upon the community to refrain from countenancing or supporting it in any manner whatever." The exhortation appears to have borne fruit, for in June the *Union* ceased publication. The *Whig* said:

"Death of the Bangor *Union*.—The daily organ of Secession in this city, the Bangor *Union*, expired on Saturday, as it should have expired, for want of breath. The editor calls it a 'suspension,' until the war is over and business revives—but we think its business will not soon revive. The simple truth is the people of this city would not sustain a paper which opposes the Government in its hour of vital peril, and sympathizes with traitors—and we trust the people of the country will take the same course to suppress the weekly publication from the same office (*The Democrat*). The valedictory of the *Union* is a spiteful affair, but will scarcely move any one except to laughter. The statement that certain respectable men have made every effort to suppress the paper by mob violence, excites a smile, when it is known that for months it has required the earnest efforts of our leading citizens, to prevent that concern from being thrown into the river, and that the slightest encouragement from those whom the *Union* calls 'respectable citizens,' would have sealed its fate in five minutes. So of the curse which it calls down upon 'the men of property and standing, who have done all in their power to injure us.' Its curses will only come to roost upon the shoulders of their author. The business men of this city have simply done their duty in refusing to aid in sustaining a traitorous organ in our city, and have taken precisely the right course to suppress it. If the *Union* had acted a loyal and manly part, and stood by the country instead of taking part with traitors, it would have received its share of support."[4]

As the *Democrat* maintained itself, some of the Republicans, stirred by Emery's disloyal call for a convention, determined to resort to violence. One of the leading men of the city signed a pledge to indemnify all persons taking part in the affair for loss of time or recovery of damages. It was generally understood that an attack would be made on the office of the *Democrat*, and Mr. J. G. Clark, one of the owners of the Wheelwright & Clark block, in which the office and printing room were located, urged Emery to remove his property, and, on his definitely refusing, warned him out. Emery applied to the mayor for protection, but could obtain no satisfactory answer. A public meeting at which the *Democrat* was denounced was held on Saturday, August 10, and on the noon of Monday, the 12th, some of the leaders of the plot rang an alarm of fire from the First Congregational and Episcopal churches, and then hurried to the office of the *Democrat*. Their friends had already gathered there with a stalwart blacksmith at their head, and they quickly forced their way in, the blacksmith

[4]Quoted in "Eastern Maine in the Rebellion," 64.

broke up the great press, and the contents of the office were thrown into the square, where the crowd, which had been drawn out by the false alarm of fire, promptly burned them. Mr. Emery's private office was also entered, but one of the citizens induced the rioters to spare purely personal papers and these, or many of them, were saved. During the affair, Emery himself appeared on the scene and was threatened and hustled, but his friends drew him into a store and took him out by a back way to his boarding-place. A barber who provoked a quarrel ending in a fight with one of the critics of Emery, had his shop sacked. No other damage was done. Emery issued an account of the riot in a publication headed "The Democrat—Extra." "This was a four-page paper, about twelve inches long by nine inches wide, and was printed by Mr. Samuel Smith, who, fearing the anger of the opposition party, had a written agreement with Mr. Emery that it should be reported that it was printed in Portland." Emery, though extreme and bitterly prejudiced in his politics, was a man of courage and energy, and he closed his narrative with the words: "By this act of mob violence my all, the result of years of unremitting toil, has been swept away; but I have still health, strength and youth, and a heart also to struggle on in defence of the people's rights." In January, 1863, the *Democrat* resumed publication and continued undisturbed, an able and unreconstructed sheet.

None of the rioters were prosecuted criminally, but Emery instituted civil suits against Rufus Dwinel, Charles E. Dole, Oliver H. Ingalls, Llewellyn J. Morse, Noah S. Harlow, Isaac E. Fifield, Archibald L. Boyd, Marshal J. Egery, Orren Oliver, George H. Stiles, Frank M. Rowe, Jessie M. Arnold, James A. Robinson, Samuel S. Mann and ——— Tabor, of Bangor, and Amasa Howe, of Presque Isle. The jury acquitted all but Tabor and Howe, and assessed damages against them of only $916.60. The reason for so small a sum being given was, that the jury found that the *Democrat* was a nuisance which ought to have been suppressed, and that it was justifiable to destroy it, but that more property was destroyed than was necessary, and for this damages were allowed.

Although men who were or who became leading citizens, took part in the affair, and a deacon assisted at the bonfire, both the *Whig* and the *Jeffersonian,* papers which utterly condemned Emery's political course, expressed disapproval of what had been done, and in their accounts of the riot made as little of it as possible. It is probable that only the prudence and moderation of the radical Democratic leaders prevented another and more serious riot. The great Union meeting of Saturday had adjourned until Thursday, the day fixed for the Breckenridge convention, doubtless intending to prevent its assembling by fear or if necessary by force. The Breckenridge leaders, however, assured the mayor that the convention would not meet. But certain of the "unterrified" quietly got together, passed vigorous resolutions, and made some nominations.

The Union meeting assembled at Norombega at 10 a. m. Resolutions

reported by a committee of which William H. McCrillis was chairman, were unanimously and enthusiastically adopted. The meeting declared:

"That we will stand by the Union, fight for the Union, and maintain the Union, and not a grain of sand belonging to the Union shall ever be surrendered to foes abroad or rebels at home, and the Union of all Union men for the sake of the Union is the unchanged will of the Democrats and Republicans of Penobscot.

"That the Republicans and Democrats of Penobscot are a band of brothers in this terrible crisis of the country's history, and politicians of every hue and dye are requested to dry up until the Stars and Stripes float again in security over every portion of the Union.

"That this war is in the defence of the Union and the Flag—a war against rebels, and to sustain all the constitutional rights of every part of the Union, and peace can and will bless the land whenever the rebels will lay down their arms; and we will welcome back into our glorious galaxy of States every erring sister State and kill the fatted calf and rejoice over a constitution maintained, a Union preserved, and a nation saved.

"That the cry of peace is but a thin disguise of disunion, and is argued (?) only by disunionists, and the terms of their peace is [are] the dissolution of the Union, the disgrace of the Flag, and the destruction of civil liberty; and we are for no such peace."

Another session was held in the afternoon, and at the close a great procession was formed and marched through the streets under the escort of several military companies, one of which was accompanied by artillery. It was fortunate for the peace of the city that the Breckenridge men had abandoned their plan for a public convention.

The Douglas men had called a convention to meet at Augusta on the previous day. Expecting that the Breckenridge men would merely attend their own convention, no special effort was made by the Douglasites to obtain a full representation. The Breckenridge delegates, however, quietly obtained credentials to both conventions and the Douglas men allowed them to take their seats. Ex-Senator James W. Bradbury in a paper written nearly fifty years afterward says:

"On entering the hall I saw at once that we should not have unanimity, and secured my appointment on the committee that should give voice to our action. I prepared the resolutions. When I read to the committee the resolutions declaring that the Democratic party of Maine would give its support to the administration in all proper measures in the war for the preservation of the Union, this was instantly met and violently opposed by a Breckenridge member, who moved to strike out the resolution and insert *'The Democratic party is opposed to the war'* (or, We are opposed to the war,' I am not positive which phraseology was used). After a warm contest the committee adopted my resolution to be reported to the convention.

"As soon as I had read the report to the convention, the same motion was made to strike out and insert. At my suggestion an amendment to this amendment was offered by adding to the phrase 'opposed to the war,' the words, *except so far as it may be found necessary to secure obedience to the*

laws of the United States. 'That is the whole of it,' exclaimed one of their men. 'No, no, we won't have that.'

"I saw the danger and appealed to the convention to consider the effect our action might have on the Union cause if one of the two great parties at the first convention since the commencement of hostilities should declare its opposition to the war. It might lead to the *immediate recognition* of the Confederacy by England, now evidently anxious for a pretext to do so. It would be certain to give encouragement to the South to persevere in the mad effort to secede, and prolong a struggle that would fail in the end. There was such love for the Union that the people of the North would never consent to its destruction, which would be the inevitable result if States are allowed to secede on the claim of a right to do it. I said we had too good a government under the Constitution to throw it away. Our failure would end the hopes of republican government throughout the world.

"I hoped that these reasons would have some effect. But when the vote was taken the amendment to the amendment was rejected by a majority of one!

"It was evident that the anti-war Breckenridge men had the control of the convention. I was upon the platform, without the opportunity to consult my friends, and must act at once, before the vote was taken on the amended resolution. I immediately stated to the convention that we had unexpectedly met here gentlemen whom we supposed were members of another convention, and who did not support the regular Democratic candidate for President, Mr. Douglas, at last year's election. By the vote just taken it was evident that they had the control of the convention, and that they were opposed to giving the administration support of legitimate efforts to preserve the Union. This is not in accord with the judgment of the Democracy of the State. They love the Union, and will support all proper measures to preserve it. But we are powerless in this body to give such expression, and I advise all the members who agree with me in the work to do it, to withdraw and go to another hall, where we can give expression to the real sentiments of the Democratic party of the State."[8]

Before Mr. Bradbury spoke, Albert G. Jewett in a scathing speech had resigned as one of the vice-presidents of the convention. One hundred and eighty-five members of the convention left the hall.

The platform adopted by the Breckenridge Democrats declared that the reconstruction of the Union by force was a palpable absurdity and an utter impossibility, and that they were in favor of a convention of all the States to take into consideration measures for the immediate and amicable settlement of all difficulties. The convention chose as its candidate ex-Governor Dana.

The seceders assembled in another hall and nominated Colonel Jameson, the commander of the Second Maine Infantry, for Governor. Their platform, while firmly demanding the preservation of the Union and approvingly quoting the declaration of Stephen A. Douglas, "There can be no neutrals in this war, there can be none but patriots and traitors," also favored "in this war with our brethren . . . twining around the sword

[8]Coll. Maine Hist. Soc., III, 2:279-284.

of governmental power the olive branch of fraternal peace," and resolved that "in vain will it be for our brave soldiers to put down the present rebellion, unless the people at home remove the causes that led to it, by putting the iron heel upon the twin sisters of our disasters, *Secessionism* and *Abolitionism*." The convention called for a coalition Cabinet at Washington, and resolved "that as Andrew Jackson recommended a repeal of obnoxious legislation in the days of nullification, as an act of justice, and to deprive malcontents of every excuse for an assault upon the Government, we should emulate his great example by wiping the last vestiges of the offensive 'personal liberty bills' from the statutes of the non-slaveholding States."

The local Democratic conventions endorsed in some cases, Dana; in others, Jameson.

The Hancock county convention followed the example of that at Augusta, and violently split in two. The Douglas Democrats being outvoted 3 to 1, seceded; then, having obtained reinforcements, they returned to clean out the hall, but, says the *Jeffersonian*, "through lack of numbers or pluck, or both, they were driven out again." The Waldo convention also divided. In Knox a Union Democratic convention and the Republican convention agreed on a mixed ticket.

The Cumberland, Oxford, and Somerset conventions endorsed Dana. The Somerset convention declared that the volunteers "had been unwittingly led into war for the abolition of slavery," and tabled a resolution "that we are opposed to secession in all its forms, and believe it the duty of the Government to put it down by all constitutional means," and voted, five delegates opposing, that "The attempt of the administration to reconstruct the Union by force is practical disunion."[6]

The Penobscot and Aroostook county conventions endorsed Jameson.

The Democratic papers were evenly divided. The *Argus* supported Dana, though not the platform. In the Dana ranks were also the Saco *Democrat*, Machias *Union*, North Anson *Advocate* and Franklin *Patriot*. The Bath *Times*, Augusta *Age*, Belfast *Journal*, Lewiston *Advocate* and Rockland *Democrat* hoisted the Jameson flag.

The election was a glorious triumph for the Republicans, and a victory, though by a rather narrow margin, of the War Democrats over the peace men of the party. The vote stood: Washburn, 58,689; Jameson, 21,935; Dana, 19,801.

The *Whig* said of the election that half of the men who voted for Dana were deceived by lack of correct information as to his real position and were led to support him as the regular candidate. "The Union victory in the State, however, is complete and unmistakable. It has crushed out open-mouthed treason, and, as a majority of the Democratic voters themselves have emphatically repudiated the claim of the traitors to control the

[6] *Jeffersonian*, Aug. 27, 1861.

party, that organization cannot again be used in any attempt to oppose the prosecution of the war. . . . The Republican party has come nobly up to the work of sustaining the administration, and we need make no comments upon the aspect of the election so far as it relates to that organization. The returns speak for themselves."

Some two months after the election, the question of the attitude of the Government toward slavery which, because of the great conservatism of the War Democrats and of some Republicans, required most careful handling, was raised by the proclamation of General Frémont giving freedom to the slaves within his command, and the order of President Lincoln reversing his action. The *Whig* at once proclaimed its sympathy with Frémont. It said that the principles of the "proclamation, however they may at present be modified, must become the principles of this war, before we shall be able to touch the vitals of the rebellion," and it expressed the opinion that "before the end of another session. Congress will see cause to provide by law precisely what Frémont declared by proclamation." When a little later the general was relieved of his command, the *Whig* said that it feared that the government, though honest, had made a mistake. But it added, "as the removal has been made, it is the duty of every loyal citizen and good patriot, in time of war like the present, to acquiesce in the determination of the government, believing that the motives of the Executive were right, and hoping that the effect of the removal will not be injurious to the cause. Let all imitate the conduct of General Frémont himself, upon receiving the order to transfer his command. It was to repress as far as possible all adverse feeling toward the government and to do all in his power still to promote the success of the army from whose command he had been removed. Frémont was in the face of the enemy. The whole country is now in the face of the enemy. It is no time to indulge in bitter reproaches for what may after all have been a proper act. It is no time to withdraw confidence from the government. It must be sustained through good report, or the country is lost."[1]

A little later came the seizure of Mason and Slidell on board an English steamer on the high seas. At first the *Whig* took a somewhat belligerent attitude. It believed that the country would rise to a war with England. But a month later it said that it was right to surrender Mason and Slidell if international law required it, and that England had taken the position maintained by the United States in 1812. The *Whig* thought that the general sentiment of the country was one "in which satisfaction at the substantial advantages we have gained predominates over regret at the escape of the rascals."[2]

A minor incident of the affair was seized on by the Democrats as a means of arousing feeling in Maine against the administration. On news

[1] *Whig*, Nov. 7, 1861.
[2] *Whig*, Dec. 31, 1861.

of the capture of Mason and Slidell, England had promptly sent troops to Canada. One belated ship arrived off Cape Race, in January. Seward tendered to the British Minister, Lord Lyons, permission for them to land at Portland and proceed to Canada by the Grand Trunk, and sent orders to the United States officials at Portland to afford facilities for the transfer. On January 13, E. K. Smart introduced a resolution requesting the Governor to communicate any information that he might have received concerning the matter, and asking if any steps had been taken "to prevent such use of the American soil within the limits of the State of Maine." Mr. Smart supported his resolution in an exciting and demagogic speech. He, however, accepted an amendment adding the words "if not incompatible with the public interests." The Governor replied that he had no information on the matter not already in possession of the public, and that he had taken no steps to prevent the passage of British troops, but that he would give the subject immediate attention; and Smart announced that he saw no further necessity for his resolution and would withdraw it.

The *Whig* in commenting on the affair said that it did not regret Seward's offer, but that we should gain more than lose by the courtesy, even if war should break out hereafter, that it would show Europe and England that we did not wish war, that it had already had a good effect in Canada, and that as far as Maine was concerned it would be more advantageous to have the troops sent to Canada than to Halifax or St. John. The *Whig* also quoted with approval a statement from "a contemporary" that it was important to remove the impression which Seward had been so unfortunate as to give that the government sought war.[9]

Governor Washburn forwarded a copy of the Senate resolution to the Secretary of State and asked if such directions had been issued, and for any information concerning the matter which the Secretary might think proper to communicate. Mr. Seward replied that the permission had been given in accordance with the rules of international comity and the American policy of treating Great Britain as a kindred nation to whom we were bound by peculiar ties of commerce. The amiable Secretary, however, concluded his letter: "The State of Maine has been so eminently loyal and patriotic in the present emergency that the President would not feel himself at liberty to wound any sensibility which she might feel on the subject. If therefore you shall advise me that the directions in question are likely to have that effect, they will be cheerfully modified." The matter ended by Lord Lyons declining Seward's offer.[10]

The resolution of Mr. Smart in relation to the British troops was evidently that of a political opponent. Some others which he had introduced the day after the meeting of the Legislature leave one in doubt whether Ephraim was trying to play Joab to the Republican party's Amasa, stab-

[9]For the English belief that Seward desired to provoke a war, see Bancroft, "Seward," II, 225-226.

[10]Maine Documents, 1862, I, 6.

bing it while making professions of friendship, or whether he was only turning another of his political somersaults. The resolutions declared that it was the duty of Congress to free all slaves belonging to persons who should aid the rebellion, and the duty of the government to employ them as soldiers if capable of efficient service, that they should receive the same pay, clothing and subsistence as other soldiers, that Congress should "colonize the freedmen so far as practicable in some place or places of the Union where the climate is congenial to them,[11] and that all vacant and unoccupied lands held by the rebel States should be confiscated for their benefit," and that they "should be protected, wherever lands are set apart for them, by a system of government appropriate to their condition." By the last of the resolutions the Maine Senators and Representatives were requested to use all honorable means to secure the passage of acts embodying their spirit and substance.

The resolutions appear to have brought their author little favor. The *Jeffersonian* narrated his political changes, saying of his last:

"And now, after having grossly and repeatedly insulted and betrayed the people of Maine by a series of atrocious libels upon their character and life-long loyal sentiments, he has with brazen impudence espoused the sentiments of the ever-honest and conscientious people of the State with the view of further political advancement. The governorship of Maine next year, or an appointment to some lucrative office by President Lincoln, or some other reward for his bold demagoguism, is his end and aim. It has been suggested that Smart had better be at once appointed colonel of a negro regiment at Port Royal; but we cannot recommend such an appointment, both because we do not desire to see a regiment of honest and loyal negroes disgraced by such a commander, and because of the danger that when in the face of the rebel enemy he would betray his regiment into the hands of the Confederate army upon the promise of a little higher command, such as an appointment as a brigadier. . . . In no place or position whatever can E. K. Smart be trusted. There is not an intelligent man of any party or faction of party in Maine who has any confidence in him. Democrats maliciously assure us Republicans that they are now well rid of Smart and that he has joined the Republican party, to rule or disgrace and ruin it.

"We hope some comprehensive resolutions truly and properly expressive of the sentiments of the truly and unconditionally loyal people of this State on our national affairs, such resolutions as will exert an influence and respect from their origin and are not saturated with the malign spirit of arrant demagoguism, will be offered in the Legislature and adopted."

Mr. Smart's resolutions, and a substitute which resembled the Crittenden resolutions, declaring that the war was only waged for the preservation of the Union, and not for the destruction of slavery, and endorsing

[11] The provision in regard to climate would prevent their being dumped on the Northern States. It will be remembered that in the Missouri discussion John Holmes had expressed a fear that if a State could not exclude negroes, slave States wishing to emancipate might buy large quantities of Northern land and settle their freedom there.

the President's inaugural, were referred to the committee on Federal relations. Another set cordially endorsing the administration and promising the unwavering support of Maine in crushing the rebellion, and calling for the confiscation of the property of rebels, the emancipation of their slaves, and the use of negroes as soldiers, if demanded by military necessity and the safety of the Republic, was passed by the Senate by a vote of 24 to 4. They subsequently passed the House by a vote of 104 to 26. A resolve for a constitutional amendment, which the *Jeffersonian* called "a transparent pro-slavery nest egg," was indefinitely postponed by a vote of 93 to 8.[12]

A declaration in favor of such radical measures as emancipation and confiscation greatly offended the Democrats. The Augusta *Age, Argus,* Machias *Union* and Saco *Democrat* declared that it was a notice to quit all connection with Republicans. Efforts were made to reunite the Democratic party. The Dana State committee appointed two delegates to meet the Jameson committee. At the conference the Dana men said that they did not ask the followers of Jameson to come to them, but to join in a call for a convention. The Jameson men inquired if the Dana ambassadors would agree to a People's convention. They answered that they would prefer a straight-out Democratic convention, but would yield that point rather than have the negotiation fail. The Jameson committee withdrew for consultation, and the next morning their chairman brought word that they considered it inexpedient to unite in any call. The reason assigned is said to have been that they believed they could attract more conservative Republicans by acting alone.[13]

The Jameson committee had already issued a call for a People's convention. A few Republicans may have been conciliated, but some former Jameson Democrats were repelled. The Rockland *Democrat* declared that the call for a People's convention should emanate from the people, that the Jameson committee had no authority to issue such a call, that by doing so they had destroyed the "War Democrat" organization throughout the State and that the new "People's party" would be a humbug.

The "People's convention," however, assembled at Bangor on June 26. Although supposedly a Jameson convention, nearly one-half of the members appeared to belong to the Dana wing of the party. There was a sharp debate, John A. Peters, of Bangor, and A. G. Jewett, of Belfast, vigorously denouncing the Dana Democrats, and declaring that they would have nothing to do with them or with persons acceptable to them. Mr. Jewett reported resolutions, which were duly passed. They declared "that it is the first duty of the citizen, in this perilous national crisis, to yield a ready and unwavering support to the government in all necessary efforts to subdue the existing rebellion, and vindicate the authority of the Constitution and Union over every inch of territory within the limits of the United

[12] *Jeffersonian,* Jan. 14, 1862.
[13] *Jeffersonian,* June 10, 1862.

States." The resolution also stated that the convention would "resist all measures and efforts calculated or designed to convert this war for the Union into a crusade for negro emancipation." The resolutions praised the soldiers, and made the convention proclaim that "we cordially approve the patriotic course of the brave General McClellan, that we approve his genius and skill as commander of an army, and that our whole hearts are enlisted in his success before Richmond, that we view with detestation and scorn the wicked and scheming politicians who are endeavoring to undermine and weaken him and his army in their brave efforts for the vindication of the Union."[24]

Mr. Peters moved the nomination of Colonel Jameson by acclamation. Another member moved to substitute the name of Bion Bradbury; a ballot was taken, Jameson received 166 votes to Bradbury's 106, and his nomination was then made unanimous. In general, the Eastern members had supported Jameson, those from Augusta, Portland, and the western part of the State had been anxious to take a man who could unite the party.[25]

The "Dana" convention did not meet until August 14, when Bradbury was nominated for Governor by a vote of 278 to 133 for James White, of Belfast, and 3 scattering. Resolutions were passed declaring that the party was for the Union as it was and the Constitution as it is; that "the Union was formed in the spirit of concession and compromise, and must be preserved by the same means, and not by military force alone."

The Republicans had held their convention at Portland on June 5. Governor Washburn had declined a renomination, and the convention nominated Abner Coburn, of Skowhegan, on the first ballot. The vote stood: Coburn, 330; J. J. Perry, 176; J. H. Williams (son of the ex-Governor), 88; N. A. Farwell, 58; scattering, 5.

Abner Coburn was a man of strong character, sound sense and business ability. His father, Eleazer Coburn, was born in Massachusetts, but in 1792, when Abner was only fifteen, the family moved to Maine and settled in that portion of Canaan later annexed to Skowhegan. Eleazer took an active part in the development of the town. He was sent to the Legislatures both of Massachusetts and Maine, but he was better known as a business man than as a politician. He was "one of the most extensive land surveyors of his day." This gave him an interest in and a knowledge of the timberlands of Maine, and in 1830 he went into the lumber business, purchasing lands on the Kennebec and operating them with great success.

The early settlers not only entered into and possessed the land, but they also obeyed the Scriptural injunction to increase and multiply. Eleazer Coburn was no exception to the rule. He married Polly Weston, a member of a leading family of Canaan, and became the father of fourteen children, nine boys and five girls.

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[24] *Whig*, June 7, 1862.
[25] *Whig*, June 27, 1862.

Abner, the second son and child, was born on March 22, 1803. As a boy he was hard-working, quick to seize an opportunity, and unusually strong. He had scant time or means for education, but managed to spend a few terms at Bloomfield Academy. He also taught school several winters for $10 a month, and "boarded round." He aided his father in his work as a surveyor and at twenty-two "he began surveying on his own account and for some years was an expert surveyor." In 1830 he and his younger brother, Philander, joined their father in establishing the lumber firm of E. P. Coburn & Sons, and on the death of the senior partner, in 1845, continued the business under the name of A. & P. Coburn. The firm became one of the best known and richest in the State, but their wealth was acquired honorably. In times of financial stress they frequently saved smaller concerns by their timely assistance, and they always commanded the enthusiastic loyalty of their numerous employees. In 1854 the brothers secured the completion of the Somerset & Kennebec Railroad, and from that time until his death Abner Coburn played a leading part in the railroad history of Maine.

Notwithstanding the claims of an extensive business, Mr. Coburn was much interested in politics. His father was a Federalist, he himself cast his first vote in a presidential election for John Quincy Adams, and he passed naturally from the National Republicans to the Whigs and from the Whigs to the Republicans, joining the party when it was first formed. In 1855 and 1857 he was a member of the Council, and in 1860 a presidential elector.

Mr. Coburn's personal character was of the highest. He was a man of the strictest morality and integrity, and his great wealth never made him proud or unapproachable. He gave freely both to institutions and to individuals; the latter gifts were secret, and he never reminded a man of a favor, and seldom made requests of those who owed him debts of gratitude. It was said of him that "he was no boss. If he had made the obligations he placed men under a means of promoting his interests he would have been one of the most powerful men in the State." He loved peace and would waive his rights to secure it, but "he could feel and retain indignation. His sense of justice, of injustice also, was keen and strong. He was sensitive, could resent, though quietly, yet effectually."

Mr. Coburn had great executive ability, and was usually a good judge of men, though at times deceived in his charities, and he is said to have lost $200,000 by the trickery of a distant relative who acted for years as manager of his timber lands in Wisconsin, and who cut and sold nearly twice as much timber as he accounted for to his employer.

Mr. Coburn was no orator, but his mind worked quickly and surely. President Pepper, of Colby, said of him in his funeral sermon: "His words were few, but always to the point. He hit the mark every time. There was not a grain of wasted powder. He used a rifle, never a shotgun. Scat-

tering was to him an abomination. Whether in pleasantry or in earnestness, he was equally apt and pat. He could see the exact point at which to prick conceit, and one touch of his bodkin was enough. The experiment never needed to be repeated at least by him. As for flattery, did it ever venture into his presence? I know not, but of this I am sure, if it did the venture was a failure, to itself a disaster."

Although he seldom spoke harshly of individuals, he could be very caustic. "He did once say of an adroit gentleman: 'If you want to track him sure, go in the opposite direction from that which his toes point.' Of a Maine officer during the war, he said: 'He wrote so many letters urging his own promotion that he couldn't have done any fighting.' When the greenback craze swept over Maine, some one remarked to the Governor that ——— had turned an advocate of fiat money, 'That is proper,' he replied; 'that man always maintained that he had paid a debt when he gave his note for it.' "

After the control of the Maine Central had passed into Massachusetts hands, the directors from that State found it inconvenient to come to Portland, and one of them, somewhat oblivious of the fact that there were Maine men on the board, suggested that further meetings be held at Boston. There was some discussion, and then Mr. Coburn, whose State pride was touched, killed the proposal by the quiet remark, "I have yet to learn that the distance from Portland to Boston is less than that from Boston to Portland."

Abner Coburn's most marked characteristics were quiet self-control, extreme self-reliance and reticence. President Pepper said:

"Whoever saw Abner Coburn in a bluster or fluster? For what minutes of what day did he lose his head? Where was the place? What the cause? News has been broken to him suddenly of the loss of tens and hundreds of thousands of dollars at one stroke. I have been assured that the bearer of the news could not detect in the tone of the voice, the look of the eye, or the expression of the face perplexity of mind or ruffle of sensibility.

"We must remember that what he did he himself did. He put himself in no man's hand. In so far as the nature of the case would allow, he put his business in no man's hands, never let it slip from his grasp. Even the infinite details of it, which, we would think, another, or others (for not one other adequate could well have been found), might have performed, he chose not only to watch, but to execute, and this not merely in the vigor of early and mature manhood, when there was great reserve or surplus of physical strength, but to the last. These details seemed rather to rest than to worry or weary him. It was perhaps because of a change from the effort, if we may properly speak of any action of his as effort—from the effort of regarding and controlling the major affairs."

Mr. Coburn's unwillingness to take others into his confidence was carried to an extreme degree, and must be regarded as a weakness. He appointed his most intimate friend, Judge Dascomb, one of his executors,

yet though his health was manifestly infirm, he neither told the judge anything of his investments nor informed him of his appointment. This was the more unfortunate, as he rarely made a settlement in full with anybody. He kept about square with the world, but seldom exchanged receipts. It was stated after his decease that if he had kept a confidential clerk for the last five years of his life, it would have saved his estate $300,000.

Mr. Coburn never married. It is said that at one time he "paid devoted attention" to a charming and accomplished lady of very small fortune. Her family were highly delighted, and boasted so freely and loudly of the catch that had been made that the suitor withdrew in disgust.

Mr. Coburn was not a member of any church or a graduate of any college, but he was a sincere believer in the value both of religion and of education, and manifested his faith by his works. At church he was an unusually attentive listener, a trait which must have specially commended him to the clergy. He gave freely of his time, counsel, and money—Colby, the Maine State College, Waterville (now Coburn) Classical Institute, and Baptist churches in Maine being the objects of his special regard. By his will he bequeathed $100,000 to the Maine State College, $200,000 to Colby, and over $450,000 to various Baptist societies. He also left $100,000 to the Maine General Hospital, and $50,000 to the State Insane Hospital.

The call for the election of delegates to the convention had included not only Republicans, but all supporters of the National and State administrations, and the platform invited "a cordial and patriotic union of the people of Maine on the patriotic basis of a generous support of the policy and principles that characterize the administration of Abraham Lincoln," and declared that "the infamous rebellion in the Southern States against the authority of the Union and the Constitution, now happily waning in its proportions and its strength, must be put down at any cost of blood and treasure, and that to this end the people of Maine pledge their lives, their fortunes, and their sacred honor."

The Republican campaign was moderate, like their platform. On August 26 the *Whig* said: "In the conditions of war which now exist in the country, a mere party contest has been deemed unadvisable by the loyal citizens, and there has consequently been but little of the excitement, and but few of the partisan appeals usually attending a political contest." The *Whig* stated that it believed this action proper, but that there was a duty to support the government, that the leaders in the Bradbury movement were the men who had denounced the government the year before, that Marcellus Emery, who had issued the convention call in 1861, had reported the resolutions in 1862, and that there had been no change in Virgil D. Parris, Moses Macdonald, John Anderson and John Babson. The editor of the *Whig* declared that though he "would not say a word against any Democrat who votes for the loyal and gallant Jameson, we think the overwhelming defeat of the Portland ticket would be made more certain by a general sup-

port of the Republican State ticket. With thirty thousand loyal voters absent, we cannot afford to risk much upon third tickets."

The election was formally a success for the Republicans, but one which they must have regarded as a disappointment, if not a disaster. Coburn led Bradbury by less than 11,000 votes. The War Democrat movement was almost a complete failure. In May the *Whig* had declared that "without a union with the Danaites the new People's Party will scarcely do enough to pay the expenses of organization." September proved the *Whig* a prophet. Jameson received only 6,764 votes.

The *Whig* claimed that the falling off of the Republican vote was due to the absence of the soldiers and a prevailing idea that there was no need of voting, that the Democrats had got out their men, and that most of them went for Bradbury. The *Whig* in rather peevish tones delcared itself substantially free from blame. "What the moral effect of this is likely to be, we leave for the Republican voters *who did not vote* to determine. We have performed our duty; and if the Union majority is cut down to a small figure, we do not take any large share of the responsibility."

There were reasons for the Democratic gain which the *Whig* did not mention—corruption in the War Department before the appointment of Stanton, suppression of newspapers, arbitrary arrests, and failure in the field.[16]

Had the election come a month later, the success of the Democrats might have been even greater. On September 22 the President issued his preliminary Emancipation Proclamation. The *Whig* welcomed it, and expressed the hope that those military officers would be advanced who had a heart in the contest for freedom. The *Jeffersonian* said: "The moral aspect of the Proclamation cannot be too highly appreciated. The friends of Freedom and Humanity, of Christian civilization the world over, rejoice with joy unspeakable at this determination of the President of the United States, and they will earnestly pray for its fulfillment, and will celebrate the New Year of its fulfillment as a new era in the history of nations, which will immeasurably overshadow and transcend all others. God and the Great Genius of Human Freedom be praised for the Grand Proclamation of President Lincoln. It is the jewel in the coronet of his honors."[17] But the Democratic papers gleefully proclaimed that their prophecies had been fulfilled and that the Black Republicans were now openly waging an abolition war.

The newspapers were, of course, filled with accounts of the war and prophecies of what was about to happen, and some of them read strangely today. After the fall of Donelson the *Whig* said: "The capture of this fortress cannot fail to prove a death blow to the rebellion, not only from the opening it gives our forces to strike at the heart of the rebellion, but

[16] See, Rhodes, "History of the United States," IV, 164.
[17] *Jeffersonian*, Sept. 20, 1862.

from the disastrous moral effect which it must have upon the rebels throughout the entire South." When the Confederates abandoned Yorktown, the *Whig*, made a little more modest by experience, claimed somewhat less. It said that the retreat "well nigh settled the fate of the rebellion so far as the great States of Virginia, North and South Carolina are concerned." On September 19 the *Whig* announced that "Lee's hands had been terribly lacerated by a bullet, that both were entirely useless, and that he was greatly worried at not being able to manipulate his pen and pencil." As a matter of fact General Robert E. Lee was not wounded once in the whole course of the war. But we must not laugh too loudly, remembering how frequently the Entente reporters killed the Crown Prince of Germany in the recent war.

The term of Senator Morrill expired in March, and he was re-elected by the Legislature. The Republicans had made no caucus nomination. The Democratic candidate was William P. Haines of Biddeford, formerly an anti-slavery man and follower of Hannibal Hamlin. One vote was cast for Israel Washburn, and another for Edward Kent. It is said that these were given by "loyal Democrats."

Although Haines' nomination might have been regarded as a tribute to the power of the Jameson Democracy, that wing of the party was in truth fast disappearing. Jameson himself had died in the preceding autumn, and the final Emancipation Proclamation had greatly displeased many of his former followers. A number of them who had spoken loudly in favor of the Government and had announced their willingness to destroy slavery if this were necessary to save the Union, failed to attend the great meeting held in Bangor to endorse the Emancipation Proclamation. The *Democrat* resumed publication. At the municipal election in Bangor the Democratic vote greatly increased. These changes were the more significant since eastern Maine had been the special seat of the War Democracy. Their leading newspapers, such as the Belfast *Journal* and the Augusta *Age*, were now opposing the national Government, though their language was more moderate than that of the Dana papers.

In these circumstances and in view of the poor showing made by Governor Coburn the preceding year, James G. Blaine, chairman of the Republican State Committee, deemed it advisable for the Republicans to drop their party name and be replaced by a Union organization. His advice was followed by his committee, as was usually the case, and a notice was issued stating that "the citizens of Maine who are unconditionally loyal to the Government of the United States, and who unconditionally support all the measures for the suppression of the rebellion, and who are resolved to spare no endeavor to maintain the National Union, both in principle and territorial boundary, are invited to send delegates to a Convention to be held in the City of Bangor, on Wednesday, the 1st day of July next, for the purpose of nominating a candidate for Governor, to

be supported by the Union men of Maine at the next election." Representation was to be proportioned not according to Republican voters, but to the number of inhabitants. The call was signed by the gentlemen of the State committee, and their respective counties were placed after their names, but the chairman did not sign first; there was nothing to indicate that they were members of a committee or even members of the Republican party, and the word Republican nowhere appeared in the call.

The Democratic press proclaimed with much joy that the Republican party was annihilated. The Rockland *Democrat,* Ephraim K. Smart's organ, declared that the Republican party had disbanded, and that the new movement was not a party one. "Every loyal man is invited to participate in it, and if Republicans carry away the honors, it will be because loyal Democrats permit them to do it by refraining to act in the primary meetings." The *Democrat* also demanded that Governor Coburn be denied a renomination because he was a Republican, and that no Republican should enter the convention as such. But Smart asserted the right to enter the convention as a Democrat, and the Augusta *Age* supported his claim. The great majority of the Republican papers, the *Jeffersonian,* Vice-President Hamlin's organ, the Kennebec *Journal,* Chairman Blaine's, the Portland *Press,* Biddeford *Journal,* Rockland *Gazette,* Ellsworth *American* and Skowhegan *Clarion,* denied the authority of the Republican committee to act as they had done, but acquiesced in what they could not change

The *Jeffersonian* expressed its disapproval very freely. It said, "Republicans of Maine, stand your ground. The country needs your service as an *organized party* now more than ever before; and standing our ground we shall have the active and hearty co-operation of *all* late 'Democrats,' who are now unadulterated, sincere Union men. They will add strength to the Union cause, while Sham Union Democrats will bring weakness to us and strength to the Treasonable Democratic party." The *Whig,* however, fully endorsed the call and announced that Mr. Hamlin also favored it.

E. K. Smart's demand for a new candidate if the Convention was to be regarded as a truly Union one, though harsh toward Governor Coburn and unfair to the Republican party who would certainly furnish most of the votes, commanded a support among the Democrats which it was dangerous to disregard. Chairman Blaine recognized this and before the call for the convention was issued had probably determined not only to set aside Governor Coburn but to nominate a former Democrat. The shelving of Coburn was the more easy because he had offended influential politicians.

The gentleman picked by Mr. Blaine as the next Governor of the State was Samuel A. Cony of Augusta. A Democrat until the outbreak of the war, he had from that moment vigorously supported the Government, had acted as Assistant Paymaster-General of Maine, and advanced money from his private fortune to pay the soldiers when there was no law authorizing the State Treasurer to do so.

The convention met on the day and place appointed, and was called to order by Mr. Blaine in the name of the Union and the loyal masses. Hon. James B. McCobb of Portland was elected chairman. While the committees were out, Lewis Barker of Stetson was called for and made an earnest non-partisan speech in which he said: "We are here to crush the copperhead faction—a pack of guerrillas who have stolen the livery of Democracy for evil designs. If a Democrat comes here merely *as* a Democrat, I spurn him; if a Republican comes here, I do the same—but if you come as Union men without condition, I am with you and welcome you." Before the vote was taken Mr. Blaine rose and stated that he was authorized by Governor Coburn to say "that he fully sympathised with the movement for Union. That feeling thus and wishing to do all in his power to promote union of action among loyal men, regardless of past party differences, the Governor did not consider that his nomination a year ago by a somewhat different constituency gave him any priority or precedence at the hand of this convention. He, therefore, claimed none, but simply submitted his name to the consideration of the convention. If nominated, he would endeavor to faithfully serve the public interests. But if it should be adjudged wise policy to take another candidate, he would most cheerfully and cordially sustain him by his vote and whatever influence he might possess. The perils of our national crisis demand, in the Governor's view, a union of all patriotic hands and hearts, and the man should be chosen for our standard bearer who can make this union most cordial and effective."

The first ballot for Governor stood: Samuel Cony, 474; Abner Coburn, 418; Joseph H. Williams, 176; scattering, 15. This division gave opportunity for a very bitter contest, but Hon. B. W. Norris of Skowhegan said he was authorized to withdraw the name of Governor Coburn, whereupon Governor Coburn was most loudly cheered. He further proposed to nominate Hon. Samuel Cony by acclamation. After some little discussion, it was concluded to proceed to a second ballot, which resulted in the nomination of Samuel Cony by a vote of 899 to 66 for Williams and 26 for Coburn.

Samuel Cony was a member of the well known Cony family of Augusta. His father, also named Samuel, was the first adjutant-general of Maine, serving from 1820 to 1830. His mother, his father's own cousin, was a daughter of Judge Daniel Cony, who had taken an active part in politics before the separation and in the convention which formed the constitution of Maine. Samuel, the second, was born February 27, 1811. He graduated from Brown University in 1829. He studied law with Hiram Belcher of Farmington, was admitted to the bar in 1829, and settled in Old Town. He served in the Legislature in 1835, and the Council in 1839, was judge of probate for Penobscot county from 1840 until 1847, land agent from 1847 to 1850, and then State Treasurer for the usual five years. He had moved to Augusta in 1850 and in 1854 was elected mayor of the city.

Mr. Cony had always been a Democrat, but he belonged to the Douglas

wing, and on the outbreak of the war he vigorously supported the Government. The Republicans of Augusta offered to join the Democrats in supporting a joint ticket for Representatives to the Legislature and proposed Cony as one of the candidates. The Democrats declined, but the next year the Republicans nominated and elected him.

The "Union" platform demanded a firm and unanimous support of the Administration. The arrest and holding without trial of men who had attacked the Government and the war, had been the subject of much criticism, some of which came from earnest Union men. The convention, however, resolved "that those assemblages of Northern citizens, who, wishing to make a diversion in favor of the rebellion, have feigned excessive indignation at the few arrests of persons engaged in discouraging the organization of a military force to defend the Constitution, while they have expressed no execration against the foe now invading the Free States, and no commiseration for our fellow-citizens who have been robbed of their property and driven from their homes by a lawless band of conspirators against the Republic; have shown such misdirected sympathies, and such utter lack of the first instincts of patriotism, as to make them dangerous counsellors in the present crisis of the country."

The Democrats had originally intended to hold their convention in July, but postponed it until August 6, perhaps to gain time to settle a serious difference of opinion concerning the renomination of Mr. Bradbury. The convention met in Portland on the day fixed, and elected Samuel Taylor, a Quaker, president. This gentleman said in a speech of thanks to the convention, "I do not know but the shooting of one man may under certain circumstances be justifiable—but am opposed to shooting men in a lump." Mr. Charles Jarvis twice nominated the president for Governor, but Mr. Taylor declined to put the motion, saying that his religion forbade him to accept an office which would make him commander-in-chief of the militia. A platform was adopted declaring that "we will earnestly support every constitutional measure tending to preserve the Union of the States," but stating that they could not "support the present Administration, its course being destructive of the Union and the Government"; and that "The war is now being conducted, not for the restoration of the Union, but for the Abolition of Slavery and the destruction of the Republic." Arbitrary arrests were denounced, and the freedom of speech and of the press asserted. The conscription act was declared unwise and oppressive, but obedience to it was advised unless the courts should declare it unconstitutional.

There was considerable discussion of Mr. Bradbury's attitude. General S. J. Anderson of Portland read a letter from him of the same nature as the resolutions, but Virgil D. Parris was not satisfied and asked General Anderson if Mr. Bradbury held the same opinion which he did the year before. General Anderson replied that Mr. Bradbury was "as much

opposed to the war as now conducted by the Administration as any gentleman present is or can be." Mr. Parris said that as far as Bradbury had gone in his letter, he went with him, but that he had not denounced "this wicked, this unholy, this hellish war." Another delegate asked if Mr. Bradbury, if elected, would withdraw the Maine troops from the army, as he would have a right to do. General Anderson replied that as the convention had expressed no opinion on that point, it was not fair to ask Mr. Bradbury to do so, but that if Governor Seymour should withdraw the New York troops, Mr. Bradbury would take similar action.

A ballot was taken and Mr. Bradbury was nominated by 797 out of 893 votes.[18] The campaign was a vigorous one. Mr. Blaine was responsible for the holding of the Union convention and its nomination of a War Democrat, and his political prestige and future success would be much affected by the result of the election. Accordingly, he carefully organized "the most systematic and thorough canvass Maine had ever known. Political rallies were held in every town and hamlet. Speeches and other documents to be read at home were sent out in sufficient numbers to reach every voter, not once but many times. A considerable part of the funds necessary to defray the expenses of the campaign was obtained by the assessment of office holders, a practice against which no objection was then raised in any quarter."[19] Victory crowned these efforts, and Samuel Cony polled 68,339 votes to Bion Bradbury's 50,676.

Mr. Cony's victory heartened the friends of the Union in other States, and was received with disappointment in the Confederacy. The Richmond *Examiner* said: "This event is of greater moment than a similar result in any other New England State. It had been thought that the ruling faction was not so firmly seated in Maine. The course of the war, too, seemed less favorable to her interests than to those of her neighbors. Manufacturers were not in any branch so flourishing, and the shipping interests, it was supposed, would have found the advantages arising from the employment of vessels for warlike purposes fully balanced by the damage inflicted on commerce by our indefatigable cruisers. The expectations arising from these various elements of calculation have all been disappointed and the people have apparently pronounced in favor of the war policy of their Government."

The year 1864 was a presidential one, and therefore of special interest politically. In March the Legislature passed a resolution declaring that "for their eminent services to their country in the years of its greatest peril, President Abraham Lincoln and Vice-President Hannibal Hamlin are deserving the confidence and regard of the American people, and that in the opinion of this Legislature the loyal citizens of Maine desire their re-election to the offices which they now so ably and faithfully fill."

[18] *Jeffersonian*, Aug. 11, 1863.
[19] Stanwood, "Blaine," 59-60.

When the national convention met, Lincoln was renominated on the first ballot, Missouri voting for General U. S. Grant. The first ballot for Vice-President stood: Andrew Johnson of Tennessee, 200; Hannibal Hamlin of Maine, 150; Daniel Dickinson of New York, 108; seven others, 61. Vote after vote was then transferred to Johnson, and when the result of the first ballot was formally declared Johnson had 494 votes, Dickenson 17, Hamlin 9. The victory of Johnson was received in good part by the Republican papers of Maine, even by those of Bangor, the Vice-President's home town. The *Jeffersonian,* Mr. Hamlin's special organ, said that the nomination of Johnson was made "not from any lack of confidence in the true patriotism, integrity, ability or statesmanship of the distinguished gentleman who now holds that office, but solely from the desire of making another and more signal recognition of the patriotic services of those few Democrats in seceded or border States, who, without waiting to hear the roar of the rebel cannon against Fort Sumter, declared to the country that, live or die, armed secessionists and defiant traitors should be and must be coerced into subjection to the Federal laws by the national forces." The *Whig* said: "The people of Maine felt a strong interest for the renomination of Hannibal Hamlin, but nevertheless will cheerfully and cordially support Mr. Johnson. It is peculiarly fitting at this time that the Vice-President should be taken from one of the Border States, and it is also peculiarly fitting that Mr. Johnson should be the nominee. A man of marked ability, a patriot in the highest sense of the term, thoroughly devoted to freedom, his name will add strength to the ticket and his nomination will be received with unusual favor."

An enthusiastic ratification meeting was held in Bangor, and was addressed by Mr. Hamlin in a magnanimous speech in which he eulogized *both* the nominees. His praise of Johnson was in striking contrast to his own opinions and that of his audience a year later. The *Jeffersonian* in its report of the meeting stated that Mr. Hamlin said that "from an intimate acquaintance with Andrew Johnson, of over a quarter of a century, he knew him to be an honest and incorruptible patriot, a statesman of large experience, and eminently qualified not only for the duties of Vice-President, but for the Presidency, should he in the providence of God be called to that post."[20]

The reasons given by the *Jeffersonian* for the change in the candidate for Vice-President were the chief causes of the defeat of Mr. Hamlin, but personal feeling and political management played a considerable part. Mr. Hamlin was under the great disadvantage of having his own section against him. Of the seventy votes from New England, he received but twenty-six. He obtained the solid vote of Maine, half of that of New Hampshire, and led the poll of Rhode Island, whose votes were badly scattered. But Johnson carried Vermont, Connecticut voted solidly for him, and, worst of all,

[20] *Jeffersonian,* June 14, 1864.

for Connecticut though a New England State often followed the lead of New York, Massachusetts gave seventeen of her votes to Dickinson and scattered the rest, Hamlin obtaining three. The failure of New England to support Hamlin had a very bad effect, and was made great use of in winning delegates from the West for other candidates. Nor was Massachusetts satisfied with merely voting against Hamlin; many of her delegates labored successfully to induce the representatives of Maryland, Delaware and Ohio to vote for other candidates. Ohio was the more easily won, as there was a chance that one of her leading citizens, ex-Governor Tod, might carry off the prize himself as a compromise candidate.

The action of Massachusetts had also a great effect on New York. The night before the nomination, the New York delegates caucussed. It was unanimously agreed to support the renomination of Lincoln, and a majority voted in favor of that of Hamlin. The caucus then adjourned, but met again the next morning. Meanwhile it had been learned authoritatively that Massachusetts would not support Hamlin under any circumstances; this produced a great impression. Some delegates thought that there must be a strong personal reason for her action. It is to be feared that this was indeed the case, but the personal reason was not to be found in any act or omission of Mr. Hamlin's, but in the extreme views and resentment of opposition of Charles Sumner. He had on various occasions been worsted in discussions in the Senate by William Pitt Fessenden, who was the ablest debater in that body, though Sumner was the more brilliant rhetorician. Both men were able and patriotic, but of different types of character, and there was some ill feeling between them. Mr. Sumner never had any doubt that he was entirely right and his opponents totally wrong, and accordingly he set to work to get Mr. Fessenden out of the Senate. His term would expire on March 4, 1865. Should Mr. Hamlin fail of the Vice-Presidency, he would probably contest Mr. Fessenden's re-election, and, as he was very popular in Maine and a most skillful politician, he would have a good chance of success. Mr. Sumner therefore set earnestly to work to turn the Massachusetts delegation away from Hamlin, and so great was his influence that notwithstanding the opposition of his colleague, Senator Wilson, and of Governor Andrew, only three delegates from Massachusetts voted for the New England candidate.

Some of the New York supporters of Hamlin, including Preston King, who had taken an active part in securing his nomination in 1860, abandoned him to save Seward. New York had a prominent War Democrat, Daniel S. Dickinson, and the radical wing of the Republicans of the State pressed him earnestly for the Vice-Presidency, but the conservative or Weed-Seward faction feared that it would give offence should New York have both the Vice-President and the Secretary of State, and that, if Dickinson were Vice-President, Seward would be obliged to resign. Accordingly they worked hard for Johnson as the one man who could beat Dickinson, and this argument won over some of the Hamlin conservatives.

The most interesting of all the questions connected with Mr. Hamlin's failure to obtain a renomination, and perhaps the hardest to solve is, What was the attitude of President Lincoln? There is no doubt that publicly it was one of strict neutrality. The President's private secretary went to the convention not as a member or delegate, but merely as an interested spectator. He found B. C. Cook, the head of the Illinois delegation, puzzled and worried. It had been supposed that the old ticket would be renominated, but some of the Illinois delegates personally desired Lincoln's defeat, and Leonard Swett of Illinois, a very intimate friend of the President, had telegraphed the delegation urging it to support Holt of Kentucky for Vice-President. This seemed suspicious. Yet if Holt were really Lincoln's choice for Vice-President, the delegation was ready to meet his wishes in this as in other matters. Accordingly, Nicolay wrote to his fellow secretary, John Hay: "Cook wants to know confidentially whether Swett is all right; whether in urging Holt for Vice-President he reflects the President's wishes; whether the President has any preference, either personally or on the score of policy, or whether he wishes not even to interfere by a confidential indication." The President himself endorsed the letter: "Swett is unquestionably all right. Mr. Holt is a good man, but I had not heard or thought of him for V.P. Wish not to interfere about V.P. Cannot interfere about platform. Convention must judge for itself." This would seem to show that Lincoln remained firm in his policy of neutrality, but in after years statements were made that he did not.

Two days after Mr. Hamlin's death, the Philadelphia *Times* contained an editorial stating that the writer had been invited to a conference with Lincoln just before the meeting of the Baltimore convention, that Lincoln urged the nomination of Johnson because of the advantage of having a Southern Democrat on the ticket and that he (McClure) returned to Baltimore to work and vote for Johnson's nomination. John G. Nicolay, who had been Lincoln's private secretary from his nomination in 1860 to his death, at once telegraphed Mrs. Hamlin that the editorial was entirely erroneous. The telegram was widely published in the newspapers, and there followed a bitter personal controversy on the matter between the editor of the Philadelphia *Times*, Mr. A. K. McClure, and Mr. Nicolay.

The evidence adduced by each may be briefly summarized as follows: In favor of the theory that Lincoln worked for Johnson's nomination there is, first, some direct testimony that he wished for the nomination of a War Democrat. General Benjamin F. Butler stated repeatedly that Senator Cameron of Pennsylvania came to him from Lincoln to propose that he should be a candidate for the Vice-Presidency, with Lincoln's support, but that he preferred to remain in the army. Cameron at various times gave interviews confirming this statement. On the question directly at issue, McClure stated that Lincoln asked him to support Johnson. Lamon, an intimate friend of Lincoln, corroborated him. Another close friend of the

President, Leonard Swett, wished the Illinois delegation to vote for a War Democrat, Joseph Holt of Kentucky, for Vice-President. Henry J. Raymond, the editor of the New York *Times,* was the Lincoln leader in the convention. He died before the McClure-Nicolay controversy, but George Jones, the principal owner of the paper, said that he had frequently discussed Johnson's nomination with Raymond, and that McClure was absolutely right. Benjamin C. Truman, Johnson's secretary, declared that he knew that Lincoln favored Johnson's nomination. Judge Pettis of Indiana told Mr. Hamlin in 1889 that Lincoln said to him in response to a question, whom did he favor for Vice-President, "Governor Johnson of Tennessee," and Mr. Hamlin believed him.

On the other side, there is Lincoln's endorsement on Nicolay's letter concerning Cook's doubts. Moreover, Nicolay says that Lincoln told him that as the leading candidates were all his friends, he thought that it would be unbecoming in him to advocate the nomination of any of them, but that privately and personally he would prefer that the old ticket should be renominated. Cook, not satisfied with the President's endorsement on Nicolay's letter, saw Lincoln and became certain that he desired the nomination of Hamlin. There is some evidence that Lincoln personally disliked Johnson, partly because of his habits. Finally, it is said on excellent authority, that Lincoln showed no pleasure, but rather anxiety, when he first learned of Johnson's nomination.

In endeavoring to estimate the value of these very contradictory pieces of evidence, it must be remembered that recollections given years after the event are untrustworthy, that in the passage of years imagination often takes the place of memory, and that in reminiscences, as in nature, "great oaks from little acorns grow." Let us first consider the evidence for Lincoln's favoring Johnson. McClure's stories are not always consistent with each other, and he had a very high estimate of his own importance. When he was about to publish a book, some one remarked that it would be another volume in his series of "How I Saved the Union." Butler and Cameron were unscrupulous politicians, and their statements must be received with caution. Nevertheless, Lincoln's anxiety to attract the War Democrats was such that the story of the offer to Butler is by no means improbable. McClure states that Cameron was lukewarm in the support of Hamlin and readily came over to Johnson. Just after the convention Cameron wrote to Senator Fessenden:

"My Dear Sir: I strove hard to renominate Hamlin, as well for his own sake as for yours, but failed only because New England, especially Massachusetts, did not adhere to him. Johnson will be a strong candidate for the people, but in the contingency of death, I should greatly prefer a man reared and educated in the North. I hope you will come this way going home. Truly yours, "Simon Cameron."

Of course, it is possible that Cameron was lying. Lamon is not a very

reliable witness. Swett's support of Holt is strange, but it is said that after seeing Cook, who had seen Lincoln, he worked for Hamlin. Jones's statement of his conversations with Raymond is very important, but there is to be set against this the testimony of Noah Brooks that Raymond said to him on the day before the convention, "Do you know who is Lincoln's choice for Vice-President? I cannot find out." It is possible, however, that Brooks did not quote Raymond correctly, or that Raymond wished to pump him. The value of Truman's testimony is weakened by the circumstance that two of his statements do not square. Pettis' statement is extremely important, and so is its acceptance by Mr. Hamlin, but the latter afterward came to the belief that Pettis was mistaken.

In regard to the testimony on the other side, it may be said that Lincoln's endorsement on Nicolay's letter is less conclusive than has been claimed. He says that he *cannot* interfere about the platform but only that he does not *wish* to interfere about the Vice-Presidency. Undoubtedly he did not wish to. Nicolay's recollection that Lincoln's personal wishes were in favor of Hamlin, and Cook's full belief that this was the case, are of weight. Still it must be remembered that Lincoln's policy was to avoid committing himself, and to speak well of all the candidates, and that attitude might easily be misunderstood. The testimony that Lincoln appeared disappointed and anxious on learning of Johnson's nomination, is one of the strongest arguments against McClure's story.

Historians disagree on the question. Rhodes accepts the offer to Butler, but says nothing about the McClure-Nicolay controversy. Stanwood also makes no reference to the matter. Dr. Brummer, in his "History of New York During the Civil War," appears to disbelieve McClure's assertions. Alexander, in his "Political History of the State of New York," says that "The reason for Raymond's ardent support of Johnson will probably never be certainly known. In his long and bitter controversy with Nicolay, however, McClure furnished testimony indicating that Lincoln whispered his choice and that Raymond understood it."

The Democratic National Convention nominated General McClellan, the candidate of that wing of the party which would fight rather than give up the Union but which would make almost any concession to induce the rebels to come back. The platform was written by Clement L. Vallandigham, the leader of the peace Democrats, and demanded that "after four years of failure to restore the Union by the experiment of war," there be a cessation of hostilities with a view to an ultimate convention of the States and restoration of the Union. It was a most unfortunate sentence. The Republicans declared that their opponents had proclaimed the war a failure, and made great use of the phrase. It is said that its incorporation in the platform was indirectly due to the courtesy of one of the Maine delegates. Each State chose a member of the platform committee, and it had been planned that ex-Judge Rice of Augusta should represent Maine, but ex-

Governor Dana desired to be on the committee, and Mr. Rice withdrew in his favor. The "failure" resolution passed the committee by a single vote, Governor Dana supporting it. Mr. Rice would have opposed it, and had he been the Maine committee man it would have been defeated.

The *Argus* had been warmly in favor of McClellan, and received the news of his nomination with joy. But the thorough-going copperheads were ill pleased. General McClellan after some delay accepted the nomination. The Bangor *Democrat* said that his letter of acceptance "was very far from what peace men had a right to expect; and there was danger, ten days ago, of serious disruption. But that danger, we believe, is now past. General McClellan cannot hesitate to pledge himself to the 'cessation of hostilities, and negotiations for peace,' of the Chicago platform. Let Democrats, then, not be disturbed by any reports of dissensions in our ranks. The Democracy are determined to go into this contest united. They are determined to elect their candidate to the Presidency and they are determined that, after he is elected, he shall obey their behests, and make a speedy peace."

The Democrats of Maine followed in the footsteps of their national assembly, the State convention giving the platform to the peace wing and the candidate to the war faction. The convention declared:

"That the only ground of hope for the preservation of the Union under the Constitution and of maintaining the rights of the people, and of the States, and of securing an honorable peace, is by expelling from power the present corrupt, imbecile and revolutionary Administration, and substituting in its place an Administration which will conduct the Government according to the requirements of the Constitution, and protect all parties in the full enjoyment of their constitutional rights, privileges and immunities;

"Resolved, That the Administration by its corruption and imbecility has shown itself incapable of a successful prosecution of the War, and from its levity, tergiversation and bad faith is manifestly incapable of negotiating an honorable peace;

"Resolved, That we stand where the Democracy has ever stood in favor of the Constitution and of the Rights of the States and of the People, and of the entire Union in all its integrity, and of an honorable peace at the earliest practicable moment."[21]

It will be noticed that the convention did not say what it would do if the South resolutely refused all terms but independence.

The convention unanimously nominated ex-Judge Howard for Governor. According to the *Jeffersonian,* however, there was a sharp struggle behind the scenes. It said "General Gorham L. Boynton, the 'Dean Richmond'[22] of the Maine Democracy, the brains of his party, almost the only man in the party who has not at one time or another acted with the Abolitionists, was the choice of a vast majority of the party, assembled in 'the Tent';[23] but he was ruled out in deference to that contemptible minority of

[21] *Argus,* Aug. 18, 1864.

[22] A very influential New York politician.

[23] The convention was held in a great tent. The *Jeffersonian* had announced that it would be pitched on the lot "where the balloons are inflated and go up."

the party who just now act upon the maxim, 'assume a virtue if you have it not.' They are at heart Peace-at-any-price and submission to the rebellion, but they want to 'catch gudgeons.' They affect to believe that they can by sailing under false colors beguile back into their ranks the 'renegade Democrats.' The struggle between Howard and Boynton was at times quite hot, in the committee rooms and private parlors. . . . At length Dean Richmond succumbed to this small minority, and swallowed another pill as bitter as that he gulped down last year labelled 'Bion.'" But though George B. succumbed to Howard, he triumphed on the question of "Peace." If the latter should ascend the throne of State, the former will surely be the controlling "power behind the throne."[24]

The Union convention was held at Augusta on June 29. The Union State Committee had invited to participate in the choice of delegates, "The qualified voters of Maine who desire the unconditional maintenance of the Union, and the supremacy of the Constitution, and the complete suppression of the existing rebellion, with the cause thereof, by vigorous war and all apt and efficient means." Representation was to be based on the number of votes cast for Governor Cony the preceding year. The convention renominated Governor Cony by acclamation, declared for an uncompromising prosecution of the war, and endorsed the National Union platform.

From the first there was no serious doubt of the success of the Union party. The only question was the size of their majority. When the ballots were counted it was found that Cony had received 65,583 votes and Howard 46,403. Although a presidential year, there was a decrease of 7,000 in the total vote, the Democrats losing somewhat more than the Unionists.

The *Argus* said of the election, "Maine has thus reaffirmed her verdict in favor of the policy of the Administration and that the war should be continued for the purpose of giving freedom to the negroes. It is certainly to be hoped that those who sustain this policy will now come forward and volunteer for the war with as much zeal as they have manifested in carrying the election, and thus save the State from the necessity of a draft. They are in honor bound to do this." The *Whig,* for once agreeing with the *Argus,* also proclaimed that it was the duty of the Union men of Maine to follow up the blow they had struck by volunteering to complete the State's quota.

In November, Lincoln and Johnson carried the country. In the Electoral College the majority was overwhelming, but the popular majority, especially in some of the doubtful States, was not large. The *Argus,* in commenting on the national election, made one of those prophecies which read so strangely after the event. It said: "The re-election of Mr. Lincoln means financial ruin, utter and irretrievable, makes the permanent dissolution of the Union inevitable, and will prolong the war indefinitely to end finally in a military despotism sustained by a permanent standing army."

[24] *Jeffersonian,* Aug. 23, 1864.

It added, however, that Lincoln's comparatively small majority gave hope of a return to the principles of 1787."[25]

In striking contrast to this lugubrious vaticination is an editorial in the *Whig* written at the end of the year: "We think that whoever lives to see the next generation will find the South all the more loyal to the government, by reason of its terrible experiment in rebellion. The war will, in the providence of God, relieve us of slavery, teach both sections to have a respect for each other's endurance and skill, and give us a national unity more compact and enduring than would otherwise have been possible."[26]

During the year (1864) several changes were made in important national offices, in one of which Maine had a special interest. For some time there had been considerable friction between President Lincoln and his Secretary of the Treasury, Salmon P. Chase; on June 29 Mr. Chase resigned and, perhaps somewhat to his surprise, his resignation was accepted. The vacant place was offered to ex-Governor Tod of Ohio, who declined it. The President then nominated Mr. Fessenden, the chairman of the Senate committee on finance, and the Senate instantly confirmed the nomination. Both nomination and confirmation had been made without Mr. Fessenden's knowledge. He was in feeble health, had no desire for executive office, and was most anxious to decline. But from all quarters came urgent requests that he should accept. He was told that his nomination would have the best effect, that his refusal would give a fearful blow to the public credit, and that it was his duty to take the office. Reluctantly he yielded. He wrote to a close friend and relative: "I felt much as Stanton said. You can no more refuse than 'your son could have refused to attack Monett's Bluff, and you cannot look him in the face if you do.' I told him it would kill me and he replied, 'Very well, you cannot die better than in trying to save your country.'"[27] In taking the Treasury, Mr. Fessenden stipulated that he should be free to resign as soon as he could do so without injury to the public service.

Mr. Chase did not remain long unprovided for, but in the following November was made Chief Justice of the United States, succeeding Judge Taney, who had died on the 12th of October. The death of the writer of the Dred Scott decision tested the fairness of the partisan press. It was a severe trial, and the Maine papers did not come through with credit. The *Jeffersonian* referred to him as "that judicial monster the American Jeffries." The *Argus* went to the other extreme. It not only called him a great and good man, but quoted with apparent approval from an article in the Boston *Post* which said, "If we array beside him the long lists of the illustrious dead where beyond a Mansfield, a Lyndhurst or a Marshall, shall we find one worthy to be named in comparison?"

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[25] *Argus*, Nov. 11, 1864.

[26] *Whig*, Dec. 29, 1864.

[27] Fessenden, "Fessenden."

It fell to the Legislature in the winter of 1865 to choose a Senator. On Mr. Fessenden's resignation, Governor Cony had appointed Nathan A. Farwell of Rockland, until the Legislature should act, and they chose him to fill the remainder of Mr. Fessenden's term, which expired the fourth of the ensuing March. For the full term Mr. Fessenden was himself a candidate, as was Vice-President Hamlin. There had been considerable doubt and discussion as to Mr. Fessenden's position, and he finally wrote a letter to his friend, John S. Tenney, in which he stated that he desired a re-election, that he had accepted the Treasury with the clear understanding that he should resign on the earliest suitable occasion, and that his health would not permit him to permanently remain in an office requiring such hard and continuous labor as did the Secretaryship of the Treasury. The letter showed that he earnestly desired a re-election and would be much hurt if it were refused. His supporters made great use of these arguments, and also said much of his ability and the need in the Senate of his leadership.

His opponents, ignoring the matter of his health, plausibly used his position as Secretary of the Treasury as an argument against returning him to the Senate. The Biddeford *Journal* said: "Those who urge the election of Mr. Fessenden can say nothing of his very distinguished qualifications for any office in the nation that we will not fully admit, and, more than that, which we will not claim for him ourself. And because of those very qualifications we desire, in common with a singular unanimity among capitalists, that he should retain his present position. Under his administration our finances have become stronger and firmer, and our national credit has advanced. There was no other man in the country that could have filled the position of Secretary of the Treasury, at the time of his appointment, but Mr. Fessenden, and no one has appeared since that time. Does it appear to be wisdom to cause him to vacate that position that the Government may be a loser thereby? and is it an exercise of prudence to throw away a seat in the Cabinet which will give Maine a corresponding influence in the national councils, in order to defeat Mr. Hamlin?"[28]

The discussion was not always so polite. One of the Fessenden papers charged Hamlin with being a demagogue, and the *Jeffersonian* replied by accusing them of flunkeyism and aristocratic notions. It also intimated that Mr. Fessenden had not been attentive and generous to the soldiers or active in party work, and that he had not been zealous in support of vigorour measures against the rebellion and slavery. A Fessenden paper claimed that without a caucus Fessenden would certainly be elected, and urged the Fessenden men, if one were held and Hamlin nominated, to "show yourselves superior to such paltry machinery and vote him down." The *Jeffersonian* said of this advice to bolt, "Thus the copperhead vote is invoked to

[28] Quoted in *Jeffersonian*, Dec. 20, 1864.

divide and conquer the Republican Union party in Maine, and to build up a Conservative party. The 'leader' of their party is already indicated. . . . An attempt like this now made to divide the Union party of Maine into 'Conservatives' and 'Radicals,' was made in the Legislature of 1862, under the leadership of L. D. M. Sweat, Bion Bradbury, Gould of Thomaston, and other copperhead wolves in the Union livery, but the project miserably failed."

Yet after all this bitter contest, Mr. Fessenden was nominated unanimously, Mr. Hamlin's friends, believing that his opponents had a majority, though a small one, prevented a contest by withdrawing his name.[89]

Mr. Fessenden left the Treasury on March 3 and was succeeded by the Comptroller of the Currency, Hugh McCulloch, a native though not a resident of Maine.[90] Mr. Fessenden had a high opinion of his successor, had desired his appointment when Secretary Chase resigned, and first learned of his own nomination when he called on the President to urge the choice of Mr. McCulloch.

In February, 1865, it became the duty of the Maine Legislature to act on the thirteenth amendment to the Constitution abolishing slavery. The Legislature had already passed a resolution introduced by Nelson Dingley of Lewiston favoring such an amendment, and there was no doubt what its action would be. On February 6 Governor Cony transmitted the resolve of Congress proposing the amendment to the Legislature. The Governor said: "I congratulate you personally that in your character as the constitutional representatives of the people of Maine, the felicity is vouchsafed to you to give effect to their will by voting for the extirpation of a system utterly at variance with every other American institution, offensive to the best instincts of our species, founded in disregard of the first principles of human justice and in violation of the laws of God." The next day the Senate unanimously ratified the amendment. The House was not unanimous, but it was more enthusiastic than the Senate. "The areas and galleries of the chamber were filled with ladies and gentlemen. A band was stationed in the gallery, and when the vote was announced every Union member present voted 'yes.' The chair declared that by this sublime act Maine gave her ratification to the amendment to the Constitution 'which drives forever from the land the curse of slavery, God save the State of Maine.' There was great applause. The band played the national hymn, and during a recess of half an hour cheers were given for Lincoln, for the rights of man, for Grant, for Sherman, Sheridan, Thomas and Farragut, also for the brave soldiers. The fifteen Democrats were silent. Mr. Chase of Dover, one of them, proposed three cheers for the old Union. Mr. Webb

[89] Mr. Hamlin's grandson says that he had not expected opposition when the Legislature was elected and went West to take part in the Presidential campaign, and that his manager in Maine neglected his duty.

[90] It is said that Mr. Lincoln offered the place to Mr. Hamlin, but was obliged to withdraw the offer because of the opposition of Mr. Fessenden.

of Portland said: 'It was good until the slavery minions spoiled it.' Then all cheered. Finally three cheers were given for the Constitution as amended, and the Union as it will be. Several patriotic speeches were made, and Mr. Dingley proposed that 'in view of the great triumph over which we rejoice, the assemblage unite in singing that grand old doxology, 'Old Hundred.' It was sung with intense spirit and unconcealed tears."

On March 4 President Lincoln delivered his noble Second Inaugural. The *Jeffersonian* praised it, but in language which raises a suspicion that the editor did not fully appreciate its depth and beauty. "The President's inaugural is the best ever delivered. It is short, but comprehensive and pithy. He beats 'the Clergy,' even Henry Ward Beecher, in his pertinent and forcible exposition and application of texts of scripture." The *Whig's* editorial was a descriptive summary rather than a comment. Mr. Lynde, however, appears to have agreed with the President, especially in his remarks on the connection of slavery with the war. The Kennebec *Journal* said that "the inaugural is like no other document ever written. . . It is characteristic of the author for frank honesty and directness of purpose. Rarely have there been crowded into the same limited space so much that is weighty and momentous. It is even grand in its rugged brevity, while it contains all that is necessary for him to say and all that the people expected to hear. . . . He presents in strong outlines the terrible contest which is being waged between the enemies and defenders of the best government that the sun ever shone upon, and in simple and beautiful terms indicates the duty of the people in the future trials through which the nation must pass ere complete triumph and enduring peace are secured." There followed a description of Lincoln's manner of action as President, and a defense of him against the charge of moving too slowly.

The *Argus* saw only the absence of definite offers to the South. It said that it had good information that Lincoln had been ready to accept gradual, fully compensated emancipation, and pardon for the great mass of the Southerners, but that he had been frightened from it by the radicals.[31] "The fact is," said the *Argus,* "the President is a weak man. However wellmeaning he may be (we do not wish to impugn motives), he has not the pluck for bold enlightened statesmanship in a crisis like the present. . . . His inaugural is an indication of his state of mind, as near nothing, for a state paper, as it is possible to conceive of."[32]

The *Argus* had better reason for its remarks on the speech of Vice-President Johnson to the Senate. Johnson had taken some stiff drinks of whiskey before entering the Senate chamber, and his address was not only demagogic and conceited, but extremely rambling and incoherent. The cause was manifest to all. The *Argus* angrily declared, "Had a Democratic

[31]It was true that the President had called a Cabinet meeting and proposed that a compensation for the slaves be offered to the Confederates, but the Cabinet was unanimously of the opinion that the war must be fought out.

[32]*Argus,* March 8, 1865.

Vice-President been guilty of such an outrage, an extra session of Congress would have been called to impeach him."[33]

The *Jeffersonian* spoke very frankly on the subject. It declared that the nation was disgraced, and that Mr. Johnson should apologize as publicly as the offense was committed, ask forgiveness of the Senate, the President and Cabinet and the Nation, and solemnly promise that hereafter he would totally abstain from the use of all intoxicating liquors. If he failed to do this he should be expelled or impeached.[34] A little later the paper declared "ridiculous if not scandalous, the attempt of a few Union papers to deny that Vice-President Johnson on inauguration day was under the influence of intoxicating drink. What is the object of having a party respectable and honest if such public obliquities of conduct are to be whitewashed?"

To the attempt of the Democratic papers to make the Republicans responsible for Johnson's conduct, the *Jeffersonian* replied that the Republicans did not know when they nominated him that he had kept his love of rum when he got rid of his other Democratic principles. It added that two of the leading Democrats in the United States Senate were continually drunk, but that the papers "which now so conspicuously parade Mr. Johnson's recent disgraceful conduct" had never said a word about that.[35]

In April came the announcement of the surrender of Richmond. It was felt that the war would soon cease and the people of Maine were wild with joy, the public excitement perhaps being greater than at any time since the fall of Sumter. The Bangor *Democrat,* however, refused to admit the Southern defeat and declared that the successful evacuation of Richmond had been according to a pre-arranged plan, that Lee resolved to give up Richmond and that he would keep up the war indefinitely among his "mountain fastnesses."

There soon came news of the surrender of Lee, and then of the murder of Lincoln. The *Argus* found itself in an embarrassing situation, similar to that occasioned a quarter of a century before by the death of Harrison. It could not even now find clear words of definite praise for the martyred President. It did, however, recognize a change of feeling toward Lincoln, and condemned Booth's act in the strongest language. The *Argus* said: "It was a crime without parallel for unprovoked atrocity. Rulers have before been murdered, but the annals of all time will have been searched in vain for a crime of this magnitude, which by one fatal blow dashed so many hopes and may be followed by consequences so widespread and calamitous. A terrible and ineffaceable disgrace has been inflicted on republican institutions. He to whom the nation was looking with growing confidence and hope from the dangers and calamities that beset our pathway, had been

[33] *Argus,* March 11, 1865.

[34] It is very doubtful if the Vice-President is a member of the Senate, and if not he cannot be expelled.

[35] *Jeffersonian,* March 14, 28, 1865.

ruthlessly shot down in a moment without excuse or provocation, to palliate in the slightest degree 'the deep damnation of his taking off.' "[36]

The *Advertiser,* which had been more moderate in its opposition to the war than had the *Argus,* said that all party animosity which might have indulged in faultfinding with Lincoln or his policies, was "seemingly forgotten" and that Lincoln's "every sentiment and feeling was kind, christianlike and forgiving, and magnanimous towards all mankind." The Republican papers spoke in warmer terms. The *Whig* said:

'Our great and good President is dead! Gone to his reward in the full fruition of the glorious work he was appointed by Providence to fulfill. The nation weeps for him who was the unyielding defender of Liberty and the Rights of Man; but it may rejoice that he was spared to us until the great rebellion was crushed, and the cause of universal freedom on this continent forever secured. We cannot pierce the veil and perceive the inscrutable designs of the Almighty in this afflictive dispensation—but we may be well assured, that as the great events of the past have all been shaped and guided for the best good for the holy cause of freedom and humanity in our land, so this terrible stroke of affliction upon our people will be overruled for the benefit of our country and of the world. The absorbing grief of the nation scarce leaves room for the deep indignation which arises against the authors of the monstrous deed which has taken from a nation its father and its friend. But it is there, down deep in the heart of every loyal man—and woe to any who sympathize with or rejoice over the unholy deed. They will be driven from the country and branded forever with the mark of Cain upon their foreheads."[37]

The *Jeffersonian* called Lincoln the great and good man, the wisest ruler of the nineteenth century. It had often believed Lincoln too moderate and gentle. It had warmly praised Andrew Johnson when nominated for Vice-President, and it now said of him, *"He will execute the law* with the courage and firmness of President Jackson and with the wisdom but not the clemency of his immediate predecessor who is the victim of his own too great clemency."

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[36] *Argus,* April 17, 1865.

[37] Some citizens of Bangor, as of other places, had expressed pleasure at the murder, and came near paying dearly for their folly and wickedness. A clerk in a dry goods store said that he was "glad the old Rail Splitter had been killed." Hearing that an enraged crowd was about to visit him, he fled for refuge to the jail. Others like him were arrested and taken there by the police for their own safety.

Chapter XVII

THE CIVIL WAR—MILITARY HISTORY

THOMAS B. REED MONUMENT AND MAINE GENERAL HOSPITAL, PORTLAND

FIDELITY BUILDING AND SOLDIERS' MONUMENT, PORTLAND

CHAPTER XVII

THE CIVIL WAR—MILITARY HISTORY

The outbreak of the Civil War found Maine like most of the Northern States totally unprepared. The old musters had been abandoned as burdensome, useless, and furnishing occasions for drunkenness and dissipation. Men between the ages of eighteen and forty-five were with a few exceptions required to have their names enrolled in the office of the Adjutant-General but many neglected to obey the law and little or no attempt was made to enforce it. The enrolled but unarmed militia amounted to about 60,000. There were also a few "voluntary" companies containing some 1,200 men that were armed and had some knowledge of drill, but "their uniforms, equipments and camp equipage were of a character wholly unfit for service in the field."

But the country's need was pressing, Maine was asked to furnish a regiment under the President's call for 75,000 men, and Governor Washburn requested ten of the volunteer companies to enlist in the United States service. Eight did so, the others declined or failed to act promptly, and two new companies were raised. The Governor, however, felt that he had not the legal powers which the occasion demanded, and the day after the President's proclamation he called the Legislature to meet in extra session on April 22. That body promptly passed an act for raising ten regiments of volunteers to serve for two years, and for the borrowing of $10,000,000. Maine responded readily and enthusiastically, but after six regiments had been sent forward recruiting was suspended, the Governor being unofficially informed that no more regiments would be accepted from Maine. The means of the national government for arming and caring for troops were limited and the expense and difficulty of assembling them at Washington was greatest in the case of the most remote States.

Some of the Maine regiments suffered heavy losses in battle, others never saw an enemy. Lieutenant-Colonel William F. Fox has published an elaborate and careful statistical study of regimental losses in our Civil War. He says that the First Maine Heavy Artillery had more men killed and mortally wounded than any other regiment in the Union army,[1] and a greater percentage of killed than any regiment but one, the Seventh Wisconsin. But the historian of the First Maine states, however, that a corrected list decreases the number of his regiment by two, and increases the number of killed and died of wounds by eighteen; and that these changes give the Maine regiment the leadership in the percentage of killed. The First Maine Heavy also had the greatest number of killed in any one action.

[1]It should be remembered, however, that the heavy artillery regiments contained when full 1,865 men, while the cavalry regiments consisted of 1,200, and the infantry of only 1,025.

for a time successful, but reinforcements arrived for the Confederates and the Union troops were compelled to fall back. Banks, if a poor general, was a good fighter, and he ordered repeated charges that could only result in useless slaughter. One of the victims was the Tenth Maine. They moved with splendid courage across an open wheat field swept by the enemy's fire, but were obliged to fall back after nearly a third of the regiment had been killed or wounded.

Four Maine batteries were with Banks' army. Two of them were not seriously engaged; the other two, the Fourth and Sixth, were in the thick of the fight, and although this was their first battle did excellent service. The general of the division to which the Sixth battery was attached sent to congratulate the commander on his success in repelling the enemy's assaults, and said that he had saved the division from annihilation or capture. "The last gun (of the battery) was brought off the field in the face of the enemy's infantry not fifty yards distant."

The Second, Third and Fourth regiments and the Fourth and Sixth batteries were engaged in the Second Bull Run. The Fourth suffered heavy loss, and the Sixth battery, after doing good work, was obliged to abandon two of its guns. Four Maine regiments were engaged in the Antietam campaign. The Tenth suffered considerably in the battle, partly because the corps commander, Major-General Mansfield, ordered it to advance in solid column rather than deployed. Notwithstanding the serious loss which resulted, the regiment had a great regard for General Mansfield, who was like a father to his men, and they grieved sincerely when a little later he fell mortally wounded in their ranks. The Tenth fought well, but the glory of the day, so far at least as Maine was concerned, was won by the Seventh Regiment. Palfrey says in his "Antietam and Fredericksburg": "In the afternoon, between four and five, the Seventh Maine performed a very brilliant exploit. . . . It was ordered out to drive away some skirmishers, and performed the task, and not only gallantly but brilliantly encountering Texas, Georgia, Mississippi and Louisiana troops of Hood's division and losing half the men it went out with." The brigade commander responsible for the slaughter was relieved from command next day. He had been an officer of the regular army and had done good service in the Mexican War, but was intemperate. The Seventh furnishes a striking instance of how regiments are often worn down by disease and diminished by details. When it made this charge it was commanded by a major, and was only 181 strong.

Six Maine regiments and two batteries were at Fredericksburg, but of the infantry regiments only three were seriously engaged. The Second lost between a fourth and a third of its strength; and the Sixteenth, then in battle for the first time, more than half. Both batteries took an active part in the fight.

There were few Maine regiments in the battle of Chancellorsville. The

Seventeenth was engaged in the hot fighting of the second day, and suffered heavy loss. Its good record was, however, somewhat marred by the circumstance that its lieutenant-colonel withdrew a portion of the regiment from the line of battle to reform, without urgent necessity or the permission of his superior officer. There were many other officers, however, guilty of a similar fault.

Among the batteries which covered the retreat of the second day, was the Fifth Maine, Captain Leippen. Major Bigelow says in his recent monograph on the Chancellorsville campaign that the battery was almost instantly cut to pieces, every officer was disabled, six men were killed and twenty-two wounded, every horse was hit, and finally the battery was abandoned by all except Corpl. James H. Lebroke, who fired the last shot alone.[3] General Couch had requested Lieutenant Kirby, of the regular artillery, to take charge, and later some Pennsylvania soldiers were sent to drag the guns off by hand. Lieutenant Kirby was lying on the ground with a shattered thigh, wounded almost as soon as he joined the battery. The soldiers wished to carry him off. "Take that gun first," he said, and the last piece of the battery was hauled to safety.[4] Kirby was also removed. Both he and Captain Leippen died soon after, but not before they had received promotion. More than two months before Captain Leippen had been recommended for promotion to the vacant place of lieutenant-colonel of the Maine artillery regiment. The recommendation was signed by the commander of the division of which his battery was a part, and by its brigadiers and the staff officers attached to it. He was duly commissioned by Governor Coburn, but because of some delay he was not mustered in until less than a week before his death.

One of Maine's best officers fell in the battle. In the morning of the second day, Major-General Berry was brought down by a Confederate sharpshooter, a victim to his courage and carefulness. He had insisted on doing a dangerous bit of work himself, instead of turning it over to a staff officer. Another Maine general met the greatest disaster of his career. Gen. Oliver O. Howard commanded the Eleventh Corps, which was taken in reverse and routed by Stonewall Jackson. How far he was responsible for the catastrophe is a much disputed question. Perhaps the fairest verdict would be that proper attention was not paid at Howard's headquarters to repeated warnings, that the enemy was threatening the flank, and that General Howard must bear part of the blame, but that the most important information arrived during his absence. A thorough discussion of the matter may be found in Hamlin's "The Battle of Chancellorsville" and Bigelow's "The Campaign of Chancellorsville."

While Lee and Jackson were defeating Hooker at Chancellorsville, Sedgwick with the Sixth Corps was fighting a second battle of Fredericks-

[3] Bigelow, "Campaign of Chancellorsville," 360, 370.
[4] Whitman and True, "Maine in the War," 412.

burg. Marye's Heights, from which the Union forces had been repulsed with such fearful loss in the previous December, were now stormed. The flag of the Sixth Maine was the first to be planted on the redoubt at the top of the hill. Fox says: "The regiment was then in the famous Light Division of the Sixth Corps, and did not fire a shot during the charge, but carried the works with the bayonet; and mention is made of one man in the Sixth, who bayoneted two adversaries, and then brained a third with the butt of a musket. The loss of the regiment in that battle was 23 killed, 111 wounded, and 35 missing. Major Haycock and four captains were killed."[5]

The day after the capture of the heights, the Confederates were reinforced. Fredericksburg was retaken and Sedgwick nearly surrounded, but he held out till night and then escaped across the river. In this battle the Fifth Maine did valuable service and lost a third of the men it took into the fight.

Hooker, instead of keeping his cavalry with him, had sent most of it off on an unwise and ill-executed raid. The fault, however, was with the commanders rather than the men. The First Maine Cavalry took part in this expedition and showed courage and resource. In the Gettysburg campaign which followed, the regiment greatly distinguished itself. When Lee began his march northward to invade Pennsylvania, the cavalry of the two armies were used by the respective commanders to cover their own movements and to find out those of the enemy. There were four battles, the First Maine was actively engaged in all, and in two may be said to have saved the day.

In the battle of Gettysburg, Maine took a greater part than in any other first-class battle of the war. She had on the field ten infantry regiments, a company of sharpshooters, one cavalry regiment and three batteries. It will be remembered Meade had not planned to fight at Gettysburg, that only two of the Union corps were seriously engaged on the first day, and that they were finally driven back with great loss. The only Maine regiment in these corps was the Sixteenth. When the retreat was ordered, the division commander directed the regiment to hold a hill at any cost. The order was bravely obeyed, but prolonged resistance was impossible; the enemy pressed too closely to permit of escape, and the regiment was practically annihilated. Fox says: "Of the 248 officers and men engaged, . . . the casualties amounted to 9 killed, 59 wounded, and 164 captured. At the close of the fight, 2 officers and 15 men alone remained;[6] Colonel Tilden was taken prisoner with his men. Many of the wounded died and nearly all the amputations proved fatal."

The Second Maine Battery, Captain Hall, also rendered good service.

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[5] Fox, "Regimental Losses," 128.

[6] These figures are for the whole battle. It will be noted that, according to the losses as given by Fox, only 16, not 17, men should have been present for duty.

In the second day's battle many Maine troops were engaged. The hill of Little Round Top, on the extreme left of the Union line, had been occupied only as a signal station. The Confederates moved to capture it, and had they done so the Union army would have been subjected to an enfilading fire which no troops could withstand. At the last moment Vincent's brigade occupied the hill.[7] One of its regiments was the Twentieth Maine, Colonel Chamberlain. It protected the flank of the brigade and had a very sharp contest with two Alabama regiments. The lines swayed back and forth for some time, but the enemy finally gave way. In 1893 Congress voted General Chamberlain a medal of honor for the "daring heroism and great tenacity" displayed by him.[8]

A little to the right of Round Top, the Third Maine, Colonel Lakeman, highly distinguished itself. General Sickles had placed his corps forward of the Union line. It was necessary to discover the position of the Confederates. Sickles sent a hundred sharpshooters and the Third Maine, only two hundred and ten strong, to reconnoiter. This was done most brilliantly. Colonel Fox says: "The regiment made an advance outside the lines which developed the enemy's position and elicited timely warning of the attack on Sickles' corps. The tenacity with which the Third Maine held that skirmish line at Gettysburg is worthy of note." General Sickles is reported to have declared that "the little Third Maine saved the army today." Messrs. Whitman and True state in their history that the commander of the brigade said to Colonel Lakeman: "Colonel, I had to send three times to you before I could get your regiment to retire. I believe you intended to stop there all day; they did nobly, sir, and your officers and men are deserving of unbounded praise." Whitman and True say: "Had it not been for the masterly manner in which the officers executed Colonel Lakeman's commands in that trying position, as well as the random firing of the enemy, the regiment would have been annihilated." As it was, it lost over a fifth of its men. On its withdrawal to the main body the Third was stationed in the famous Peach Orchard and won its full share of glory in the courageous though unsuccessful defense of that position. The total loss of the regiment at Gettysburg, incurred almost entirely during the first two days, was 30 killed, 47 wounded, 45 missing, or about 58 per cent. of the number engaged.

The Fourth Maine also did excellent work and suffered heavy loss. The lieutenant-colonel was absent, Colonel Walker and Major Whitman were both wounded, the latter fatally. The Seventeenth was likewise desperately engaged, losing more than one-third of its number killed and wounded. Of the Nineteenth, Colonel Fox says: "Under command of Colonel Heath the regiment was conspicuously engaged at Gettysburg, where it suffered a *feu d'enfer,* that cost it 29 killed, 166 wounded, and 4

[7] It was later reinforced by Weed's brigade.
[8] Norton, "Attack and Defense of Little Round Top."

missing; a total of 199 out of 440 present, all told." Unlike the regiments just mentioned, the Nineteenth was not engaged until late in the afternoon, when it interposed between Humphries' division and the enemy, and led a gallant charge which prevented the Confederates from piercing the Union line and perhaps from reaching the Taneytown road.

A little earlier a Maine officer and a Maine battery had helped render a like service. After the breaking of the Third Corps, a fatal gap had been left in the Union line. This was perceived by Lieutenant-Colonel McGilvery, the titular commander of the Maine "regiment" of light artillery. The batteries, however, did not fight as a regiment, and the field officers were assigned to other positions. Colonel McGilvery was then commanding the first brigade of the artillery reserve. Perceiving the danger, he sacrificed the Ninth Massachusetts battery to check the Confederates, while with extraordinary effort he got together a line of guns to hold the gap. Among the forces thus summoned was the Sixth Maine Battery, Dow's. When the fight was ended by the arrival at the last moment of infantry supports, every battery or part of a battery in the line had withdrawn or been captured except the Sixth Maine and two guns of the Fifth Massachusetts.

The Maine troops took little part in the battle of the third day, but when a portion of Pickett's division broke into the line at Cemetery Hill, the Nineteenth Maine was one of the regiments rushed up to meet them. General Gibbon was wounded in its ranks while leading the regiment and the Twentieth Massachusetts to the rescue.

The Nineteenth Maine hastened to the right and joined the troops in front of Pickett's men. The historian of the Nineteenth says:

"Several regiments from our own brigade and that of Colonel Hall hurried to Webb's assistance, and without much organization, were massed, many deep, around the hapless Confederates who had penetrated our lines. For ten or fifteen minutes the contending forces, in some places within rifle length of each other and in other places hopelessly mingled, fought with desperation. Those in front used the butt ends of their rifles, and those in the rear of the crowd of Union soldiers fired over the heads of those in front, and some of them hurled stones at the heads of the Confederates. The ground was covered with men dead, and men wounded and bleeding. In swift succession the Confederate flags went down and the men who had crossed the wall, despairing of success, threw up their hands in token of surrender."[1]

Some regiments which were held in reserve, and so took no part in the battle, did splendid marching to reach the field. The Fifth Maine is said to have marched thirty-six miles in seventeen hours, without even stopping to make coffee.

The campaign following Gettysburg was one rather of manœuvering than battle, but some minor engagements were hard fought. In one of

[1] Smith, "History of the Nineteenth Maine Regiment," 82-83.

these, that of Rappahannock Station, Maine troops greatly distinguished themselves. General Lee had fallen back behind the Rappahannock, but had left a detachment protected by strong fieldworks on the north side of the river at Rappahannock Station. It was determined to capture the place, and by a clever ruse Gen. A. D. Russell brought the Sixth Maine and Fifth Wisconsin near to the enemy's works without their being discovered. He then gave the order to storm, which was most gallantly carried out. Fox says:

"There was no more brilliant action in the war than the affair at Rappahannock Station. The Sixth Maine was the most prominent in that successful fight, although gallantly assisted by the other regiments of the brigade.[10] The enemy, about 2,000 strong, occupied an entrenched position; the Sixth Maine, with uncapped muskets, supported by the Fifth Wisconsin, stormed their works, and, springing over them, were engaged in a desperate strugle, some of the fighting being hand to hand; bayonets were freely used; and in one case an officer thrust his saber through an antagonist. Good fighting was also done at other points of the line, the total result being a brilliant victory, with large captures of men and material. But the brunt of the fight fell on the Sixth. It lost 38 killed and 101 wounded, out of the 321 present in action; and of 21 officers engaged, 16 were killed or wounded."

In a note to his sketch of the Sixth Corps, Fox says: "At Rappahannock Station, Captain Furlong of the Sixth Maine leaped over the enemy's works, and after employing his revolver, fought with a clubbed musket, swinging it round his head until he fell dead. After the battle his body was found among a pile of dead, several of whom had been killed by the blows of a musket stock."

While many Maine regiments and batteries were fighting in the armies of the Potomac and the Shenandoah, others were engaged on the Southern coast and the lower Mississippi. The Eighth Regiment did excellent work in the siege of Fort Pulaski at the mouth of the river, and was honored by having its flag chosen as the first to be hoisted over the fort after it had surrendered. The Ninth Regiment served with distinction on Morris Island and took part in both the assaults on Fort Wagner. Its losses during these attacks and in the siege operations were severe. A detachment from the Eleventh assisted in serving the siege cannon and mortars and manned the famous "Swamp Angel" which bombarded the city of Charleston itself.

Eleven infantry regiments, five of which were enlisted for nine months only, served in Louisiana. The Fourteenth took a very prominent part in the battle of Baton Rouge, and suffered the greatest loss of any regiment except one. Seven regiments and one battery accompanied Banks in his Port Hudson expedition, and shared in one or both of the bloody and ill-

[10]The Fifth Maine also took a prominent part in the affair.

advised assaults on that place. Near the close of the siege, volunteers were called for for a storming column or forlorn hope. The force was divided into two battalions, one of which was commanded by Colonel Bicknell, of the Fourteenth Maine, but while the men were being given a special training as stormers, Vicksburg fell, and Port Hudson at once surrendered.

During the siege the Confederate general, Dick Taylor, made a well-managed attack on the Union posts in Louisiana. On June 27 two brigades and a battery appeared before Donaldson, a town on the Mississippi between Baton Rouge and New Orleans. There was a square redoubt between a bayou and the river. "The parapet was high and thick, like the levees, and was surrounded by a deep ditch, the flanks on the bayou and the river being further protected by stout stockades extending from the levees to the water, at ordinary stages. The work was held by a mixed force of 180 men, comprising two small companies of the Twenty-eighth Maine—F, Captain Edward B. Neal, and G, Captain Augustine Thompson—besides a number of convalescents of various regiments. Major Joseph D. Bullen of the Twenty-eighth was in command. The garrison numbered 180 men, the attacking force some 1,300 to 1,500. The fort, however, was supported by a powerful gunboat. In the early morning of the 28th the Confederates charged. The water was low, and the enemy on one side at least was able to pass around the stockade. "The assault was made in the most determined manner. Shannon, with the Fifth Texas, passed some of his men around the end of the river stockade, others climbed and helped one another over, some tried to cut it down with axes, many fired through the loopholes, Phillips made a circuit of the fort and tried the bayou stockade, while Herbert, Seventh Texas, attempted to cross the ditch on the land side. The fight at the stockade was desperate in the extreme; those who succeeded in surmounting or turning this barrier found an impassable obstacle in the ditch, whose existence, strange to say, they had not even suspected. Here the combatants fought hand to hand; even the sick who had barely strength to walk from the rampart took part in the defense. The Texans assailed the defenders with brickbats; these the Maine men threw back on the heads of the Texans; on both sides numbers were thus injured."

At about four the attack lost most of its vigor, and a half an hour later the fighting ceased. The Confederate loss had been very heavy. The defenders reported 8 killed and 13 wounded. A little later the garrison suffered a severe loss, though not at the enemy's hands. Irwin says in his "History of the Nineteenth Corps"[21]: "On the 5th of July Bullen, the hero of this heroic defence, whose name deserves to live in the memory of all that love a sturdy man, a stout heart, a steady mind, or a brave deed, was murdered by a tipsy mutineer of the relieving force."

In the autumn the Thirteenth and Fifteenth Maine did good service in an expedition to Texas. Four Maine regiments were in the unfortunate

[21] Irwin, "Nineteenth Corps," 242-247.

Red River expedition. The army encountered the Confederates when it was strung out on a narrow road, with considerable distance between its divisions, and the Thirteenth Corps was driven back in great confusion, but reinforcements were hurried forward and the enemy repulsed. The Maine regiments took part in the rescue, the work of the Twenty-ninth and the Thirteenth being especially important and honorable. Although the enemy had been stopped, a council of war decided that evening to retreat, and the Twenty-ninth Maine was chosen to act as a rear guard, an honor that the regiment (which had been looked down on by those of longer service) greatly appreciated. Next day the Maine regiments took part in the battle of Pleasant Hill, the Thirtieth suffering heavily. After the battle, though a victory, the retreat was continued. At Alexandria the Maine regiments, which contained many lumbermen, did good work in obtaining timber for Colonel Bailey's famous dam which increased the depth of the Red river and so enabled the gunboats to escape. Shortly after the close of the expedition, several Maine regiments were transferred to Virginia. They nobly did their duty in the desperate, bloody and unsuccessful attacks which marked the progress of the Union army from Washington to Petersburg and in the battles of the "siege" of Petersburg, when Grant was attempting to extend his lines and cut the enemy's communications. These conflicts much resembled each other. A description of them would be like a tale many times repeated, and is not necessary in a general history of the State. But some account should be given of four particularly courageous attacks by Maine troops.

On May 19, Grant was preparing to flank Lee out of his position at Spottsylvania, when Ewell seized the Fredericksburg road, the main line of communication with the army's base. A division of foot artillerists consisting of the First Maine and the Seventh New York had been posted nearby, under General Tyler. Swinton says: "Tyler promptly met this attack and succeeded in driving the enemy from the road and into the woods beyond. The foot artillerists had not before been in battle, but it was found that once under fire, they displayed an audacity surpassing even the old troops. In these murderous wood-fights, the veterans had learned to employ all the Indian devices that afford shelter to the person; but these green battalions, unused to this kind of craft, pushed boldly on, firing furiously. Their loss was heavy, but the honor of the enemy's repulse belongs to them." The loss was indeed heavy, the First Maine had 82 killed and 394 wounded.

Two specially heroic charges were made at Spottsylvania. The first was under the direction of Emery Upton, who had so distinguished himself at Rappahannock Station. The ground to be traversed was carefully examined by the division commander, General Russell, by Upton, and by the colonels of the twelve regiments who had been selected for the storming party. Among those chosen were the Fifth, Sixth and Seventh Maine.

The formation of the ground permitted the attacking party to be massed out of sight of the enemy. At the signal for attack the troops rushed forth with a cheer, crossed the intervening space and mounted the parapet. But the Confederates did not flinch. Colonel Upton said in his report:

"The enemy, sitting in their pits, with pieces upright, loaded and with bayonets fixed, ready to impale the first who should leap over, absolutely refused to yield the ground. The first of our men who tried to surmount the works, fell, pierced through the head with musket balls; others, seeing the fate of their comrades, held their pieces at arm's length and fired downward, while others, poising their pieces vertically, hurled them down upon their enemies, pinning them to the ground. The struggle lasted but a few seconds. Numbers prevailed, and, like a resistless wave, the column poured over the works, quickly putting *hors de combat* those who resisted and sending to the rear those who surrendered."[13]

The Union troops pressed on, carried the second line and had made an opening for the division that was to come to their support, but they failed to arrive, and it was necessary to abandon the captured works.

Two days later, the Fifth Maine, with the rest of Upton's brigade, took part in the fight at the salient commonly known as the Bloody Angle. Captain Lamont of this regiment, the only one of seven captains who escaped in the assault of the 10th, was among the killed. He was the victim of treachery. A white flag had been displayed on the enemy's breastworks and the Fifth and other troops, advancing to take possession, were met by a terrible fire and obliged to retreat in all haste.

In June, Grant attempted to hold Lee in his front while a portion of the army surprised Petersburg, which was almost ungarrisoned. But there was a fatal delay, the responsibility of which has been much debated. Petersburg was reinforced and its defenses strengthened. A storm was now almost if not quite impossible, but General Meade, undiscouraged by several repulses, determined on another effort and sent peremptory orders "to attack at all hazards." The attempt was made and was everywhere repulsed. In this attack the First Maine Heavy Artillery made a famous charge. Its division commander, General Mott, "determined," says General Walker, "to try what virtue there might be in the enthusiasm of a new, fresh, strong regiment, not yet discouraged by failures," selected the First Maine to lead the attack. There was a brief desperate rush, shorter and more bloody than that at Balaklava, and all was over in fifteen minutes at most. Nine hundred and fifty men left the Union lines. Two hundred and eighteen came back. One hundred and fifteen had been killed, 489 wounded, there were 28 missing, most if not all of whom were dead or wounded. The loss exceeded that of any Union regiment in any battle, but it is fair to state that there are nine regiments with a higher percentage of loss.

Mention should also be made of the activity and courage shown by

[13]Michie, "Upton," 98.

the First Maine Cavalry during the same campaign. Fox says: "At St. Mary's Church, Virginia, the First Maine made a desperate fight against great odds, losing 10 officers and 56 men, killed, wounded, and missing, out of 260 who were engaged."

Several Maine organizations served in the Valley of the Shenandoah during the fall of 1864. The First Maine Battery and the Twenty-ninth Maine Infantry particularly distinguished themselves at Cedar Creek.

A new regiment had been formed of the soldiers of the Fifth, Sixth and Seventh Maine that remained in service, and was called the First Maine Veteran Infantry. When Wright's corps stormed the Petersburg entrenchments, the brigade which formed the tip of the wedge that pierced the enemy's line was commanded by Colonel Thomas W. Hyde, and among the regiments forming it was his own, the First Maine Veteran. Hyde says in his little book of reminiscences: "When we reached Hatcher's Run, Captain Merrill, of the 1st Maine, with 14 men, crossed it on fallen trees, and captured and brought back 79 men, the sharpshooters of Heth's division. This shows how a night attack had demoralized our gallant foe." A little later the whole division was annoyed and then repulsed by a battery directed by an elderly officer on a gray horse. The division was formed for another charge, and meanwhile Hyde sent Lieutenant Nichols of the First Maine with fifty men to get round the hill and shoot the battery horses. The next charge was successful and the battery was taken. General Hyde says:

"I asked a mortally wounded artillery officer, who was propped up against a limber, what battery it was. 'Captain Williams, of Pogue's North Carolina battalion,' said he. 'And who was the officer on the gray horse?' I continued. 'Gen. Robert E. Lee, sir, and he was the last man to leave these guns,' replied he, almost exhausted by the effort. What a prize we had missed!—this gallant old man, struggling like a Titan against defeat. He had ordered his battery commander to die there, and had done all one brave man could do to save his fortunes from the wreck. They told us the house had been his headquarters during the siege of Petersburg. In a Confederate 'Life of General Lee' I have seen this incident mentioned, but the account says he saved the battery."

The Eighth, Eleventh and Thirty-first Maine also did excellent work in the storming of Petersburg, and the Eighth and Eleventh rendered good service and suffered considerable loss in the pursuit of Lee, as did the First Maine Heavy Artillery. The Nineteenth saved an all-important bridge which the Confederates had almost succeeded in burning.

The First Maine Cavalry took a very active part in the final campaign, having one-third of its men and one-half of its officers killed or wounded. It greatly distinguished itself by delaying a superior force at Cat Tail Run, the day before the battle of Five Forks. At Appomattox the brigade of which it was a part held the road by which Lee was attempting to escape, and when it gave way and was on the point of breaking, there

appeared the Fifth and the Twenty-fourth Corps, and the regiment and the brigade might scatter as they pleased, their work was done, and well done. At the sight of infantry across their line of retreat, "the rebel host staggered back, and their whole line wavered as if each particular man was terror struck. The curtain fell on four years of fighting."[11]

Two of the flags of truce when Lee asked for terms came into General Chamberlain's lines and to him was assigned the honor of commanding the troops before whom the Confederate army filed and laid down its arms. In respect for the bravery shown by the vanquished, General Chamberlain ordered his men to give the marching salute, a courtesy deeply appreciated by the Confederates.

Something should be said of the officers whom Maine gave to the service, but to describe the careers of even the most deserving would occupy more space than could well be spared and individual sketches will be given of only Generals Howard and Chamberlain, who were perhaps the most widely known of the Maine officers, and of Generals Williams and Ingalls, two regular army officers, whose fame, at least among civilians, bears no proportion to the services which they rendered.

Oliver Otis Howard was born at Leeds, Maine, November 8, 1830. He studied at various schools and academies, entered Bowdoin before he was sixteen with the class of 1850, and completed his course, but was not present to graduate with his class. His uncle, Hon. John Otis, was then a member of Congress and it fell to him to nominate a cadet for West Point. Mr. Otis evidently believed that he who will not provide for his own house is worse than a heathen, and nominated his son, but the young man failed to pass the physical examination. He then nominated his nephew, Oliver, who was accepted. While at the Academy, Cadet Howard showed his manliness by frequently visiting another cadet who for no serious reason was being "cut" by nearly every student in the Academy. On the breaking out of the Civil War, Lieutenant Howard resigned his position in the regular army to accept the colonelcy of the Third Maine Infantry. He soon after was made commander of a brigade which did reasonably good work at Bull Run. In 1863 he was given another brigade and commissioned a brigadier-general. At Fair Oaks his right elbow was shattered by a rifle shot, and it was necessary to amputate. He was engaged at Antietam and Fredericksburg, and in 1863 was assigned to the command of the Eleventh Corps. His misfortune at Chancellorsville has been mentioned on another page. At Gettysburg his corps was again driven back in confusion by a superior force of the enemy; Howard did good work in rallying them and occupying Cemetery Hill. He claimed and brought considerable evidence to prove that he selected the position, but the friends of General Reynolds, Howard's superior officer, who was killed early in the battle, are of the opinion that he sent an order to Howard to occupy the ridge, and Hancock

[11]Speech of Colonel Cilley, quoted in Tobie, "First Maine Cavalry," 437.

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and his staff claimed that he was in command when the First and Eleventh Corps were reformed on the Ridge, and that the chief credit of saving it belonged to him. On the third day of the battle, Howard and his corps took an honorable part in the repulse of Pickett's charge. Livermore, in his careful study of the campaigns of 1863, says that Howard committed a grave error in not withdrawing the Union forces to Cemetery Ridge earlier in the battle, and the Comte de Paris is of the same opinion. General Schurz, however, presents strong arguments on the other side.

In the autumn, the Eleventh Corps was sent west and took an active and honorable part in the operations under Grant and Sherman. After McPherson was killed at Atlanta, Sherman assigned Howard to the command of the Army of the Tennessee, and he did efficient work in the March to the Sea and the march through the Carolinas.

When the war closed, Howard was made head of the Freedmen's Bureau. He also took a chief part in founding and became president of an institution at Washington for the education of colored people, Howard University. From 1874 to 1880 he was commander of the Department of the Columbia. For two years he was commander at West Point, which was then a military department. He remained in the army, holding various commands, until November 8, 1894, when, having reached the age of sixty-four years, he was retired, as required by law. In 1896, with other prominent Union officers he toured the country speaking for McKinley, and in 1900 again took the stump for him. He performed a similar service for Roosevelt in 1904, and took an active part at the inauguration parades of 1897, 1901 and 1905, commanding the division of veterans. General Howard died at his home in Burlington, Vermont, on October 26, 1909.

Oliver O. Howard was a very religious man, of the old-school "evangelical" type. In public and in private he proclaimed his faith, and promoted the cause of Christ as he understood it, in a manner suggesting a clergyman rather than a general. This gave him the name of "the Havelock of the Army," and won him great popularity with the church people of the country, but rather injured him with many of his brother officers whose daily walk, and still more whose language, were by no means pious. General Howard was deeply interested in the cause of education, and did much both for Howard University and Lincoln Memorial University in Tennessee. He was a kindly man, utterly opposed to the rigid demerit system at West Point, and himself free from the stiff martinet notions too often characteristic of the regular officers. In business it might have been wished that he had been a little more of a formalist. Rhodes says of his appointment as head of the Freedmen's Bureau, that "Howard, the choice of Lincoln, was by virtue of his amiability and philanthropy an excellent man for the place, but his conduct of financial affairs was loose, and he needed the supervision of a systematic and critical President and Secretary of War." His conduct of the bureau was severely criticised, and he was

twice investigated, once by a committee of the House and once by a special court of high officers with General Sherman at its head. In both cases he was acquitted with high honor. The committee and the House, however, divided on partisan lines, and General Howard appears to have done some things which though not evilly meant would be of evil example.

General Howard has also been accused of injustice to troops under his command. Many of the Eleventh Corps felt bitterly his silence when the country rang with denunciations of them after Chancellorsville. He is also said to have reported to Meade, on reaching Gettysburg, that the First Corps fled at the first contact with the enemy. If so, he grossly wronged troops who fought with the greatest heroism, suffering terrible loss. The Sixteenth Maine was a part of the First Corps, and its historian, Major Small, declares that the members of the corps will never forgive Howard.

Joshua L. Chamberlain was born in Brewer, Maine, September 8, 1828. On his father's side he was descended from a member of the Plymouth colony, on his mother's from a Huguenot who came to Boston in 1685. "His grandparents were among the substantial and enterprising families which came from Massachusetts and New Hampshire at the close of the War of the Revolution to apply their energies to ship-building, milling and farming in the rich region about the head of tide-water on the Penobscot river. His parents were typical characters. English strength and French grace made a good combination for a home." In his own nature there was a remarkable blending of the active and the contemplative. As a boy he worked hard on his father's hundred-acre farm and also spent much time in solitary meditation in the woods. He attended school at a "military academy" in Ellsworth, entered Bowdoin College with advanced standing, and graduated in 1852. He then entered Bangor Theological Seminary and graduated in 1855. A master's oration on "Law and Liberty," delivered at Bowdoin that year, had been received with great favor, and he was offered and accepted an instructorship at Bowdoin in Natural and Revealed Religion. He was later given other titles and duties, and taught Rhetoric and Oratory, French and German. In 1862 he entered the Union army and, declining the command of a regiment, was made lieutenant-colonel of the Twentieth Maine. He distinguished himself at Antietam and Fredericksburg, and took an honorable part at Gettysburg. He did excellent work at Topopotamy and the North Anna, and at Bethseda Church and Cold Harbor. He was then made commander of a newly organized brigade of choice troops. In the attack on Petersburg, on July 18, he conducted a desperate charge with marked skill and courage, was shot through the body, and received the extraordinary honor of promotion on the field. General Grant says in his Memoirs: "Col. J. L. Chamberlain, of the Twentieth Maine, was wounded on the 18th. He was gallantly leading his brigade at the time, as he had been in the habit of doing in all the engagements in which he had previously been. He had several times been recommended

for a brigadier-generalcy for gallant and meritorious conduct. On this occasion, however, I promoted him on the spot, and forwarded a copy of my order to the War Department, asking that my act be confirmed and Chamberlain's name be sent to the Senate for confirmation without delay. This was done; and at last a gallant and meritorious officer received partial justice at the hands of his government, which he had served so faithfully and so well."

General Chamberlain took an active part in the final campaign, was brevetted major-general "for conspicuous gallantry" at the battle of the Quaker Road, and General Grant assigned to him the honor of commanding the troops before whom the Confederate army filed and laid down their arms.

During his service, General Chamberlain was engaged in over twenty battles and several times that number of lesser fights; he had five horses shot under him, and received six wounds. After leaving the army the general resumed his professorial work, but in 1866 he was elected Governor of Maine and served until 1871. He was then chosen president of Bowdoin and held that position until 1883. A considerable part of this period he was professor of mental and moral philosophy, he also lectured on political science and public law. His health requiring change of occupation and a southern residence, he spent some years in the South as president of a railroad construction company. In 1900 he was made surveyor of customs at Portland, and was continued in office until his death in 1914.

General Seth Williams was born in Augusta, on March 24, 1822, and was a member of the well-known Williams family, being a nephew of Governor and Senator Reuel Williams. At the age of sixteen he entered West Point, and graduated four years later with the class of 1842. He served with honor in the Mexican War, and was presented with a sword by his fellow-citizens of Augusta. Soon after the close of the war he was appointed adjutant at West Point, and served until 1853, when he became assistant adjutant-general and was transferred to Washington. In 1860 he was sent to the West. After the outbreak of the Civil War he was appointed adjutant-general on the staff of General McClellan, then commanding in West Virginia. After the close of the campaign he was engaged in office work in Washington until 1862, when he was made adjutant-general of the Army of the Potomac, which position he filled with the highest credit until November, 1864. Then, as his health was failing, he was appointed inspector-general and sent on a southern tour. He returned to headquarters in time for the final campaign and was present at the surrender. Williams had been Lee's adjutant at West Point and he was the only Union officer to whom Lee spoke with any cordiality.

Although naturally of a strong constitution, General Williams' intense labor had undermined his health. In February, 1866, brain trouble developed and he died on March 23.

General Williams had some of what a civilian is apt to consider as the prejudices of a West Pointer, but he was a man of the highest character, and was loved by all who knew him. Over forty years after his death, Morris Schaff, who had served as a young lieutenant on the headquarters staff of the Army of the Potomac, wrote: "There was never a sweeter temper or a kindlier heart than Williams' . . . his face [was] full, open and generous, and always lit up as if there were a harp playing in his breast."[1] The press of the country paid high tributes to him on his death. The New York *Evening Post* said:

"General Williams was the style of man that the army and country can ill-afford to spare. He was a professional soldier in the best and most honorable spirit of his profession; and having no ends or aims but as a servant of the country, he was as true to duty as if nothing else but duty was possible. He had no politician's talk of patriotism, no boasting of services and dangers; but quietly noble, wherever duty was, there he was to do with rare efficiency his whole task. Of his distinguished merits as an officer there is but one judgment.

"But our remembrance of the public character of General Williams is almost lost at this moment in our sense of the man—of his beautiful nature, and of the personal and irreparable loss of those who knew him as the war left him. They saw how years spent among scenes of turbulence and blood seemed but to quiet and refine him; and that as to his honors and services he was the only person who did not seem to be informed of them. So modest was he, of such a delicate and gentlemanly spirit, and while so able and unwearied, unrelaxing in his own duties, so generous in his judgment as to the duties and services of others, that to know him made it a necessity to love him. No one could name him, at least to any army officer, without meeting the warm answer, and even exclamation of attachment and respect, as if this one man were the common and beloved property of all."

The *Nation* said: "The name of no man attaining equal rank came less before the public during the war than that of Major-General Seth Williams, but the memory of none who have yet to die will be held more sacred by soldiers than his. Painfully diffident of his own merits, shrinking from note, modest as a girl, in all duty he was great, comprehensive, resolute and untiring."

Another Maine officer of the staff, a man of a different type from General Williams, but one who, like him, rendered great service now half-forgotten, was Rufus Ingalls, the quartermaster-general of the Army of the Potomac. General Ingalls was born in Denmark, Maine, August 23, 1820. He was educated at West Point, graduating in 1843 in the same class as Ulysses S. Grant. He served with credit in the Mexican War, but missed most of the battles, as he was with that part of the army which occupied New Mexico. He was then made a captain in the quartermaster's department and served for some years in California. On the outbreak of the Civil War he was sent to Fort Pickens, was soon made chief quarter-

[1] Schaff, "The Battle of the Wilderness," 44.

master on the south side of the Potomac, and then aide to General McClellan. In 1862 he was given the rank of brigadier-general of volunteers, and later became chief-quartermaster of the Army of the Potomac. Schaff, after describing Williams, and Hunt, the chief of artillery, says:

"There is a great temptation to dwell on other members of the staff. On Ingalls, the chief quartermaster, a classmate of Grant's: a chunky, oracular-looking man, who carried sedulously a wisp of long hair up over his otherwise balding pate, and who, besides being the best quartermaster the war produced, could hold his own very well with the best poker players in the army or Congress, and in those days there were some very good ones in both Senate and House."[15]

All the serious fighting of the war occurred far beyond the boundaries of Maine. She was not, however, exempt from alarms and from depredations off her coast. At the outbreak of the war, numerous companies of Home Guards were formed; on April 30, 1861, the Kittery company of artillery was stationed at Fort McClary, near the Navy Yard, and remained there until July 9, when it was relieved by a Biddeford company under command of Captain Andrews. At Portland, Captain Staples' company was ordered to Fort Scammel in the harbor. The latter companies were mustered into the national service. The government also ordered a body of forty men to be raised as a garrison for Fort Sullivan, Eastport.

In October, 1861, Governor Washburn appointed Vice-President Hamlin, Reuel Williams and John A. Poor commissioners to urge upon the United States government the fortification of the Maine coast. The gentlemen accepted the task, and promises were made. Later a number of batteries were erected on the coast, but it has been said that they would have been of little use in case of need.

Maine commerce suffered from the depredations of the Confederate cruisers, and there was much feeling over what was regarded as the totally unjustifiable negligence of the authorities at Washington. The *Whig* in an editorial of July 13, 1861, said:

"The boldness of the *Arago* in capturing a number of our vessels almost in sight of our New England coast, should admonish our Government of the imperious necessity of establishing an extensive and efficient coast defense for the large sea-ports, and putting afloat enough armed vessels to make the pathless courses of the sea as safe as our rural highways. We have urged this before. What is there to prevent a Southern privateer from laying Portland under contribution and burning the fleet that is anchored in its harbor, or performing the same costly operation, some pleasant morning, upon any of our towns which sit unarmed in the very salt spray of the sea? Maine has an immense property interested in navigation. The keels of her thousands of ships vex the waters of all the seas around the globe. It is all-important that they should be protected and our numerous but unprotected harbors into which they bow their welcome returns should be so fortified that at least a little privateer with half a

[15]Schaff, "Battle of the Wilderness," 45.

dozen guns and a hundred men would not dare to approach them. No matter what the cost may be, our property must be protected from the ravages of pirates."[16]

In 1863 the *Whig* called for the issuing of letters of marque to private persons to catch the "privateers";[17] the danger of causing a war with England was admitted, but the *Whig* declared that it were better to run that risk than to submit to a total destruction of commerce. "It has already become hazardous for a vessel even to make a coastwise trip, because a rebel sailing craft with a single gun is prowling along shore. It would seem that a few guns could be thrown aboard any one of our passenger steamers, and this pirate captured in twenty-four hours."[17]

There was special reason for the *Whig's* irritation. In May, 1863, Captain Moffit of the notorious Confederate cruiser *Florida,* detached the captured vessel *Clarence,* under Second Lieutenant Read, with orders to enter harbors, burn vessels, and destroy such as were building. Soon after Read set out for the New England coast. On June 12, a little east of Mount Desert, he captured the *Taconey,* and as she was a better boat than his own he transferred his men and arms to her and burned the *Clarence.* From June 12 to June 24 he captured nineteen vessels; some of these he burned, others he spared on written pledges of ransom. On June 25th he captured, off Southport, the fishing schooner *Archer,* transshipped his crew for the second time, and burned the *Taconey.* On the 26th Read captured two fishermen who consented to pilot him into Portland harbor, and told him that two gunboats were being built at Portland, that the revenue cutter *Caleb Cushing* was stationed there, and that the fine steamer *Chesapeake,* a staunch, swift propeller which ran between Portland and New York, would be in the harbor throughout the night. Read determined to conceal the arms of his men and slip into Portland. If hailed from the forts they would answer that they were fishermen coming to purchase bait. The *Archer,* however, passed the forts without challenge, and "came to anchor after sunset near Pomeroy's Rock, off Fish Point." The captured fishermen had seen no weapons and believed that their captors were out on a spree and had been playing a joke when they said that they belonged to the Confederate Navy. Read had hoped to seize the *Caleb Cushing* and the *Chesapeake,* and burn the unfinished gunboats and the rest of the shipping in the harbor. But the engineer feared that he could not get steam up on the *Chesapeake* without the aid of a second engineer, the nights were short, and Read decided to seize the *Cushing,* get from under the guns of the forts, and burn the shipping. The commander of the *Cushing* had recently died, his successor had not arrived, and the vessel was in charge of the first officer, Lieutenant Davenport. The lieutenant and about twenty

[16] *Whig,* June 26, 1863.

[17] In the North the Confederate vessels devoted to preying on commerce were usually termed privateers, but they were owned by the Confederate government and commanded by regularly commissioned officers.

men were on board, the rest of the crew were ashore. About half-past one in the morning the Confederates, dressed as fishermen, boarded the cutter and seized the unwary crew before they could make resistance. Read said in his report: "As the cable could not be slipped, it was two o'clock before we could get under way. The wind was now very light, the tide was running in and, before we could get from under the guns of the fort, day dawned." Escape was now the one object of the Confederates. At 7:30 the departure of the *Cushing* was discovered from the Observatory. The mayor of Portland, Captain McLellan, was a man of great energy, with little regard for formalities. He at once commandeered the *Chesapeake,* and when the agent hesitated to allow her to proceed, he promptly offered the city's property and his own as security against loss of any kind. Judge Hale, in his paper, "The Capture of the Caleb Cushing," from which this account is taken, says: "Just as the steamer sailed, the captain further asked the mayor for his instructions. I have heard some of Captain McLellan's old neighbors describe his reply, delivered in his sharp, staccato tones, 'Catch the damned scoundrels and hang every one of them.' "

The collector of the port, Mr. Jedidah Jewett, was also an energetic man, but possessed of more deference for authority and rules. In his report to the Secretary of the Treasury he respectfully explained:

"I at once came to the conclusion that this was an exigency when I ought not to wait for orders from you, but assume the responsibility of her recapture for the government.

"I at once chartered the *Forest City,* a 700-ton side-wheel steamer of the Boston line, and also the small steamer *Casco* as a transport to take the guns and men from Fort Preble wharf, the steamer *Forest City* drawing too much water to lie at it. I also chartered a steam tug propeller and sent her to the upper bridge in our harbor to take on board the men of the 7th,[18] and as evidence of the prompt response to my calls I would state that in fifty minutes after I had learned of the capture of the cutter, three steamers had left the wharf to overhaul her.

"Finding that, at the suggestion of the mayor, the steamer *Chesapeake,* propeller, of the New York line, was getting up steam, I put Colonel Mason and the largest portion of his command on board of her, she having obtained two brass six-pounders from the State Arsenal. She also had about fifty volunteers of all ages and colors, who armed themselves and repaired on board.

"The wind was light, and the pursuing vessels began to overhaul the cutter, the latter fired several shots without effect, and Captain Read, deciding that escape was impossible, sent off his prisoners, fired the *Cushing,* and with his men took to the boats, which were picked up by the *Forest City.* As the *Cushing* had considerable powder on board, it was deemed too hazardous to attempt to save her, and she was allowed to blow up. Lieutenant Davenport and his men had refused to tell their captors where

[18] A part of the Seventh Maine was at Portland, recruiting under Colonel Mason. The extemporized fleet also had on board the garrison of Fort Preble, thirty men of the Seventeenth United States Infantry under Captain Merriman, who had just arrived to take command of the *Caleb Cushing.*

the powder and cartridges were, and the Confederates were unable to find them. Had they done so the affair might have been much more serious, the pursuing vessels being weaker in armament, intended to ram, and the fight might have ended after severe loss of life on their part in the sinking of the *Cushing* and the drowning of nearly all on board, including Lieutenant Davenport and his men."[1]

There was some danger of disturbances within the State, as well as of Confederate attacks on the coast. Congress had passed a draft law, and threats were uttered in Maine as in other States that it would be forcibly resisted. As the time for its execution approached the threats became more numerous and fiercer. There were also rumors that Confederate cruisers were near the Maine coast, and in June the attempt, just described, was made to cut out the *Cushing*. Precautions were accordingly taken against riots and raids. Light artillery four- and six-pounders were sent to Calais, Belfast, Boothbay, Bath, Lewiston, Norway and Dexter. These towns, together with Biddeford, Portland, Rockland, Wiscasset, Castine, Bangor, Machias and Eastport, which were already supplied with guns, maintained a constant readiness for any hostile demonstrations from whatever quarter. A Portland company of State Guards were ordered out and guarded the harbor until August 19. Some sixteen privates and three non-commissioned officers of this company were, however, retained in service as a guard at the State Arsenal and for occasional picket duty elsewhere, until the 15th of September, when they were finally discharged from further active duty. . . . At Bangor, his Honor, Mayor Dale, deemed it prudent to have such public property stored at the State Arsenal as might be made available to an enemy or a mob, removed to localities in the city more easily and securely guarded. Joseph N. Downe, Esq., an experienced artillerist (though not in commission), was placed in charge of the city defences and the drilling of gunners. At Biddeford, Captain Ira Andrews, formerly of the Coast Guard at Kittery in 1861-62, exercised similar authority, and at Norway, Captain Sylvanus Cobb, Jr., of C Company of State Guards of the Third Division, was vested with the command. At all of those places, as also at Rockland, Belfast, Dexter, Lewiston, Calais and other places, brass fieldpieces were kept shotted, and other needful vigilance exercised for the maintenance of law in all its dignity."

In only one case, however, was forcible resistance made to the draft. In Kingfield a mob of about fifty men prevented the officer who was to distribute notifications to drafted men from entering the town. In the neighboring towns of Freeman and Salem the houses of the enrolling officers were entered and the notifications carried off. The Lewiston Light Infantry, made up chiefly of returned soldiers of the Tenth Regiment and a detail of enlisted men from Augusta, were placed under an officer of the provost marshal's department, furnished with four days' rations and ten

[1] Hale, "Capture of the *Caleb Cushing*," Coll. Maine Hist. Soc., III, 5, 191-211.

rounds of ball cartridges for each man, and sent to the disturbed district. Certain members of the expedition had been selected to deliver the notification; they duly carried out their instructions, and the troops returned to Lewiston.[*]

Far the largest part of the Union army was raised by volunteering, stimulated by the payment of bounties and the hiring of substitutes. Conscription was extremely repugnant to American feeling. On July 18, 1861, the *Whig* said:

"Our past and present history demonstrate that the volunteer system is amply sufficient, whether we become engaged in a foreign war or have a domestic rebellion to crush. . . . Everybody knows that a new regiment could be enlisted in this vicinity in ten days. Yet it has been found impracticable to enlist two or three hundred men to fill up the second regiment to the maximum standard, or get a hundred for a New York regiment, here, which is being attempted. Our men simply want to go into a regiment where they can elect their own officers. They want to know and have something to say as to what officers, from colonel to corporal, shall command them."

Unfortunately, this feeling of independence sometimes resulted in the choice of inferior officers, men who were better stump speakers than commanders in camp and field. Moreover, the new soldiers learned their duties much more quickly if absorbed by experienced regiments than if left to themselves, a bunch of raw recruits, and several skeleton regiments were less easily handled in battle than an equal number of men forming a single military unit. But though the government endured these disadvantages for the sake of obtaining volunteers and though both the Nation and the States paid bounties, sufficient enlistments could not be obtained, and resort was had to a draft where men would not enlist otherwise. The *Whig,* always ready to support the Government, now justified the new method of raising the army. It said: "The conscription falls upon all alike. The principle which underlies it is, that all citizens have an interest in the welfare of the State, and alike owe it service in arms against the enemy. If all are needed, all must go; when only a part are required, the selection of those who first take their turn under arms is made by drawing lots; but all are liable to draft."

Many people, however, refused to take so sensible a view. The towns felt that they would be shamed if they could not fill their quota without a draft. Furthermore, an unfortunate provision of the law allowed a man to obtain exemption by paying $300, and this was regarded as favoring the rich. The advantage was balanced if the State, town or county offered a bounty which could be used by a poor man to escape the draft. As a result there was a wild bidding for recruits by the different towns, thus placing a needless burden on the taxpayers, delaying recruiting by encouraging men

[*]Report, Adjutant-General, for 1863, p. 12.

to hold off in the hope that the bounties, already large, would be increased, and lowering the character of the recruits. Some towns attempted to prevent a draft within their limits. Machias voted to borrow money to pay $300 for each man drafted. Pownal in a full town meeting voted 4 to 1 to pay $300 to every drafted man. The Lewiston *Journal* expressed the opinion "that such places as Pownal would be benefitted by a visit from Stuart's cavalry." No such armed missionaries arrived, but the plans of the draft evaders met with a serious check from a more regular and peaceful intervention, that of the Supreme Court of Maine. Exercising his constitutional right to obtain the opinion of the judges "upon important questions of law, and upon solemn occasions," Governor Coburn asked the court if the towns could raise money, either by loans or taxation, to pay the $300 commutation. The eight judges joined in a negative opinion, written by Chief Justice Appleton. They said that as a general principle the towns could not make a gift to favored individuals, still less could they do so when the obvious and inevitable tendency of the act was to defeat the objects of the draft law, for Congress desired to raise men, not money. If one town could pay the commutation of its citizens, all could, and the government would be left without an army and helpless.

The decision did not, however, apply to the granting of bounties for enlistments, and the towns continued their eager competition for men. The State had encountered great difficulties in deciding what number of men the several towns should furnish. In 1861 there was simply a general raising of volunteers, in 1862 the State called for a definite number of men from each locality, basing its demands on the population according to the census of 1860. In order to prevent the wealthier cities and towns from enticing away inhabitants of the smaller places by offering large bounties, every recruit was required to enlist from his residence unless its quota were already filled, but, said Adjutant-General Hodsdon, in his report for 1863, "at least one-third of those enlisting, where it was for their interest managed through connivance of recruiting officers and other means to have the records and returns made to this office so as to evade this restriction. The consequences were in raising the troops in 1862, most bitter controversies between towns, presented for adjudication to the governor and adjutant general, frequently involving all the acrimony of an aggravated pauper lawsuit."

The apportionment of the United States calls of 1863 was based on the State enrollment, with such slight changes "as limited personal observation, without much labor to ascertain the facts, would suggest." The results, in some cases, were almost grotesque. To quote Adjutant-General Hodsdon once more: "Instances are known of names being drawn for persons who had been dead for years. Men were drafted who had long been non-residents of the locality for which they were drawn. Others had the good fortune to be in the service when they were drafted, and although

not securing any additional pay and emoluments, doubtless felt honored in being considered worthy to do double duty for their country." These, however, were regarded as exceptional cases. But when in October there came another call based, by strict orders of the War Department, on the former enrollment, there were loud complaints. Unfortunately revision meant a long delay in obtaining men, and the authorities at Washington strictly forbade any change. They did, however, order a new and careful enrollment as a basis for future calls. There was a strong demand that to meet the immediate difficulty the Legislature be called in extra session, a uniform bounty granted by the State, and the towns forbidden to give any; but, said Adjutant-General Hodsdon:

"It was foreseen, from intimations received at the War Department, that another call would be made as soon as this quota was filled, and if the State assumed at the outset the payment of all bounties, and issued its scrip and bonds to raise the necessary amount, it could be expected to do no less for the next call, and the large sums to be raised for both might, with the previous indebtedness of the State, affect its credit; for though an amount of indebtedness larger than that which the State would incur by assuming the whole, might be incurred by the towns making up the State, yet the capitalist, when contemplating an investment in State securities, looks at the amount of State debt as such, in bonds and certificates issued from the State Treasury. Aside from this fact, it was known that towns in the fear of a draft, with ready credit to raise money and hope of more speedily securing their quotas, would find the ways and means of evading the letter of the law, if it prohibited municipal bounties. This fact has been well illustrated in Massachusetts, where the Legislature was assembled, and uniform bounties voted payable from the State Treasury. Hardly had the Legislature adjourned before towns and cities commenced raising large sums of money as recruiting funds, amounting often to as much for each man as the authorized State bounty, and though every effort was made by the Governor of that State to prevent this proceeding in direct violation of the spirit if not the letter of the law, yet no satisfactory result was obtained, and many towns as well as the State are burdened with debt incurred for the raising of this quota."

It was determined therefore to adopt the halfway measure of a recommendation. An order was issued by the adjutant-general in the Governor's name, stating that: "It is probable that bounties uniform in amount and not less than $100 nor exceeding $200 per man, will now be paid volunteers by the respective cities, towns and plantations in the State. Great injustice will be wrought to the smaller and poorer localities, by exceeding this amount in any instance, as such towns and plantations may find it impossible to fill their quotas by reason of their citizens seeking larger bounties elsewhere than are offered at home. Attempted restrictions upon the enlistment and credit of men for localities other than their residences are impracticable, yet it is hoped that no man will enlist and receive bounty, except from *his own town,* unless the quota thereof is previously filled."

Most of the cities and towns offered $200, and some, disregarding the Governor's wish, offered $300 or $400. Hoping to put a stop to this inequality, the Governor on December 9 issued another order directing that no recruit should hereafter be credited to a locality paying over $200 bounty directly or indirectly, unless he were a resident of that town, or unless his own town had filled its quota. The later calls were more easily answered because of the passage of laws allowing States to be given credit for their citizens who enlisted in the navy.

During the earlier part of the war, the State had itself given the moderate bounty of two months' pay, or $22 to $40, to non-commissioned officers and privates. This was received by the members of the first ten infantry regiments. The giving of bounties by the State was then suspended until July, 1862, when there was granted a bounty of $45 to volunteers entering new regiments, and $55 to those enlisting in old organizations. On February 2, 1864, both these bounties were increased to $300, and town bounties were forbidden. Drafted men or their substitutes were given $100. The total amount of State bounty paid between April 12, 1861, and December 31, 1865, was $4,584,636. The State also allowed the towns to grant certain aid to the families of soldiers and to draw on the State Treasury for the amount. There was expended in this manner $1,960,801.99. If the estimate of a commission which inquired into the matter is correct, the cities, towns and plantations of the State gave in bounties $8,490,559.28. There was also a record of "private contributions and donations" of a value of $843,280. But many gifts were unrecorded and the total amount probably exceeded $1,000,000.

The localities were clamorous for assistance from the State to enable them to meet the debts they had incurred. There was some justice in the demand, for the cities, towns and plantations had been obliged to furnish men in proportion to their population, but the cities and larger towns were wealthier than the smaller places not only absolutely but relatively and could more easily bear the cost of bounties.

In 1867 the Legislature directed the Governor and Council to obtain the opinion of the Supreme Court on the right of the State to assume and equalize the municipal war debts. The Governor and Council were also directed to appoint a commission of five persons to examine the subject and report a plan of equalization. The court delivered an opinion that the State had no legal right to assume the debts. The commission, however, was duly appointed and reported that the most equitable and practicable method of relief, having regard to the ability and credit of the State, was for the State to pay $100 for each man furnished after July 2, 1862, for three years' service, and a proportionate sum for each man furnished since that date for a lesser period. Moreover, every $100 bounty paid before July 2, 1862, for three years' service, should count as one man. The commission met the opinion of the court by proposing that a constitutional

amendment be passed. An amendment such as they recommended, excepting the counting of every $100 bounty as a man, was passed by the Legislature and adopted by the people. The total amount of bonds authorized by the amendment was limited to $3,500,000. The amount actually issued fell below the maximum. A commission appointed to pass on claims adjudged the sum due to be $3,105,183.33.

As the towns complained to the State that their quotas were excessive, so the State complained to the National government that her quota was disproportionately large. During the first year of the rebellion, and until July 2, 1862, no definite quotas were asked for from several States. From the organization of regiments under the President's call in May, 1861, to May 21, 1862, regiments were organized under acceptances of the War Department. But in September 1863, Maine was officially informed that her quota for 1861 was 17,560 and that there was a deficiency of 1,595, and that there was a deficiency on the call of July 2, 1862, of 4,548 men, or nearly half the number demanded; that is, there was a deficiency of 6,143 three years' men. It was also claimed that there was a deficiency of 2,024 nine months' troops. Adjutant-General Hodsdon promptly replied that no deficiency in the quota of Maine volunteers, apparent or otherwise, should be exacted from Maine:

"Because from the migratory character of the people of Maine, many of her residents have enlisted in the volunteer organizations of other States, and were accounted to the quota of those States, Maine has a much larger proportion of this class of soldiers than any other State. Over twenty-four hundred (2400) residents of Maine are known to have enlisted with volunteer organizations of other States, and doubtless the number is larger by one-third than has been reported.

"*Second,* Maine has furnished from her extended seaboard to the United States Navy more than three times the number of seamen than has any other State. In many of our towns the entire able-bodied male population is engaged in seafaring pursuits, and a large proportion of this population are sailors in our naval service. It is estimated that at least six thousand (6000) citizens of Maine are in the United States Navy."

At that date the Government had no legal authority to make a deduction on account of naval enlistments, even if definitely proved, or of enlistments in other States. But further examination of the records at Augusta and Washington gave Maine an additional credit of 361 men for 1861, and 2,712 three years' men. In the following year no objection was made to the quota demanded from Maine, probably because she was credited with 6,754 men enlisted in the navy and the marine corps.

Maine furnished thirty-one regiments of infantry, three of cavalry (the so-called First District of Columbia Cavalry was almost wholly raised in Maine), one of heavy artillery, seven batteries of field artillery, seven companies of sharpshooters, thirty companies of unassigned infantry,[21] seven

[21]Unassigned, that is, when raised.

companies of coast artillery, and six companies for coast fortifications. Maine was also credited with 6,754 men in the navy and the marine corps. The adjutant-general's records showed 72,945 credits to Maine. Of these 3,400 were re-enlistments, and 2,000 men paid commutation, which would give 67,545 as the number of men bearing arms.[*] Of these 3,200 were killed or mortally wounded, and 5,592 died from diseases or other causes. It has been estimated from the records that 11,300 men were disabled by wounds or disease. Some of them died after discharge as a result of their disabilities, and others who were disabled were not reported. There were 3,840 cases of desertion, 2 men were cashiered, 22 were dismissed from the service, and 47 were dishonorably discharged.

The raising of the Maine quota was not accomplished without a great scandal, that of the "paper credits." The draft had given rise to a new occupation, that of the substitute broker. He hunted up men who would enlist, often paying a private bounty in addition to that given by the Government, and then sold their enrollment to drafted men desiring substitutes. The brokers were frequently unscrupulous, and their recruits were often persons of bad character. In filling the calls on Maine, certain brokers and others obtained credits not for individuals but for towns. Frequently no new soldiers were obtained for the Government, but men not previously on the quota of the State were so entered, and it is to be feared that sometimes "this class of naval heroes," as an agent once described them, existed only on paper, hence the affair was usually referred to as that of the "paper credits."

By virtue of laws passed in 1864, Maine was entitled to count men enlisted in the regular army, the navy and the marine corps, as a part of her quota. Thereafter various persons appeared at Augusta with lists of names of men whom they asserted Maine could legally claim, obtained their acceptance by the United States acting assistant provost marshal general and the Maine adjutant-general, with an agreement to credit them to such places as the holder of the list should name, and sold the assignments to various towns, usually for $400 per man. The contractor himself paid the men the United States bounty.

There was a widespread feeling in Maine that the towns, the State and the Nation had all been cheated. The *Whig* expressed the feeling of thousands when it said: "The vast and shameful system of fraud by which many quotas last year were filled on paper and without producing *men*, is, we trust, to be completely broken up, and we hope that the men engaged in it whether they be high or low will be exposed. Congress and the Legislature owe it the people, to the cause in which we are engaged, and to themselves, to do this."

One of the principal substitute broker firms was that of Delany & Yates of Augusta. Delany was tried by a court martial and found guilty

[*] The real number was somewhat less.

of recruiting without authority from the War Department, obtaining money from Maine cities and towns on false pretences, falsely assuming to be an officer, and aiding desertion. He was fined $45,000 and sentenced to ten years' imprisonment. The payment of the fine was remitted, and he was released after thirteen months' imprisonment, which he afterward claimed was merely nominal. In 1870 he appeared before a commission appointed to investigate the paper credits and made some very startling statements. He swore that Major Littler, the acting assistant provost marshal general for Maine, sent men who had come to ask about enlistment to him, that he sold their assignments to towns and gave Littler a share of the profits, amounting, he thought, to from $2,000 to $5,000. He also swore that he had done business with Henry A. Williams when he was commissioner of enrollment, and with Captain Charles A. Holmes when he was mustering officer and paymaster. Delany said that he would sometimes arrive with a hundred men (these at least were not paper credits) after office hours, would prevail on Holmes to muster them, and would pay him for it. He thought that he had paid Holmes from $1,500 to $2,000 in all. He also testified that when Adjutant-General Hodsdon refused to allow certain men to be quotaed without authority from Washington, he sent an agent and $3,000 to Washington, and that the order was issued. He said that he had seen a receipt purporting to be signed by Provost Marshal General Frye, and that the receipt provided that the $3,000 should be returned if the men were not quotaed as he desired.[22] Delany stated that he offered money to General Hodsdon, but that the general refused it, and forbade him ever to repeat such an offer. Many of the agents of the towns, who were often one or more of the selectmen, took care of their own interests as well as that of their towns. Delany's partner testified: "The agents of most all of the towns to whom we sold men had to have their pockets greased; I mean to say we usually gave them a bonus of from $15 to $25. There were many instances in which the agents of towns had a bonus of so much per man. Some few agents refused to accept it. The receipts were given for the whole sum, including the bonus, but the money paid us was less than the receipt by from $15 to $25 per man." Mr. Yates admitted, however, that all the agents might have given the bonus to their towns. If Delany told the truth, one selectman appears to have retained $900 of the money of his town. On the other hand, one of the principal brokers, D. T. Pike of Augusta, swore that various receipts shown to him by the committee were for the exact sums paid. He said: "In no instance did we give a receipt for a greater sum than was actually paid by us, and if any persons have so testified it must have been the result of a mistake or because there was some misunderstanding in regard to the term of service of the man."

[22] It is fair to Frye to remember that Delany is a suspicious witness and that Rhodes, after considerable examination of the working of the Provost Marshal's Bureau, says that "beyond a doubt Frye's management was honest and efficient."

Different from yet allied to the question of graft or corruption, is that of the making or conniving at false statements by public officers. Selectmen freely made affidavits that the men whose credit they bought were residents of or liable to enrollment in their towns, when they knew that such was not the case. They excused themselves on the ground that the affidavit was a mere form, that the men were living in the United States and not claimed by any town, although this statement was accepted on the mere say so of the brokers, and that they might be regarded as residents of the town to which they were assigned.

Higher officials were also concerned in the matter. Adjutant-General Hodsdon had some knowledge of what was going on and connived at it. When consulted by the agents of towns, he advised them to fill the quota from residents of their towns, and made entries on his books in such a manner that the towns would not be able to claim reimbursement from the State for bounties for the purchased men. But in the matter of giving credits, he regarded himself as the mere clerk of the United States assistant provost marshal general at Augusta. When the question of the credits first arose this office was held by Major Gardiner, a highly honorable man. A list of names for credit was presented to him. He at first accepted it, then decided that the responsibility was too great, and refused to return the list, but sent it on to Washington. Soon after, Major Gardiner was removed and Major Littler put in his place, and orders came from Washington to credit the men in the list as the agents desired. Major Gardiner had been in poor health, but Adjutant General Hodsdon testified that his duties were always well performed. Major Gardiner for some months tried in vain to be reinstated, and he firmly believed that he had been got out of the way that a more compliant man might be put in his place.

A naval commission consisting of the Governor of Maine and the acting assistant provost marshal-general had been established to deal with the matter of naval credits. Adjutant-General Hodsdon was asked by the investigating commission:

"Q. Was there not a great anxiety on the part of the Naval Commission to swell the claim of naval credits as much as possible for the purpose of relieving the State from bounties and the towns from the pressure of the draft, so that less scrutiny was exercised in examining said returns than would have been under different circumstances?"

"A. Yes."

"Q. Did not the duplication of returns give municipal officers opportunities to claim the same man twice over in many instances, and did not the Naval Commission, in all such cases, fail to correct such duplication?"

"A. The names upon returns were extended upon the books and indexed as fast as claims were filed, and it was the duty of the clerks to make thorough examination of the recorded names upon each return and strike out those names duplicated. A slight variation in names was very likely to have secured improper allowances."

Political considerations also had their influence in assignments. A State agent for recruiting in Washington and the South wrote to Adjutant-General Hodsdon: "I have today forwarded the papers fully approved, of 31 naval recruits from the gun-boat *Canonicus;* as I only desire to retain a sufficient number of these men to remunerate me for the actual expenses incurred, you or the Governor, or both, are at liberty to assign 10 or 15 of them to any towns that may be hard pressed politically, if it will aid us any in the election."

An investigation of the subject of the paper credits was made in 1870. Governor Cony was dead, but a member of an earlier committee stated upon oath that the Governor had told the committee "that he distributed these credits for political purposes, that if he had to do it again he might do it in a different way, but should do it because we were fighting, as he said, a political battle of equal importance, in his opinion, to any in the field."

The affair which made the greatest stir in the matter of the paper credits was the alleged granting of sixty naval credits to A. B. Farwell to dispose of at his pleasure. Mr. Farwell was a man of some prominence in Maine, and his conduct was the object of severe criticism. He gave several statements of what his action as recruiting agent had been, and there were serious discrepancies between them. The investigating commission of 1870 remarked:

"With the most strenuous purpose to credit Mr. Farwell, we should be perplexed to determine which Mr. Farwell,—the one who, fresh from the event, in February, 1865, made a statement before the legislative investigating committee, which was taken down in writing by Hon. Nathan Webb, or the one who more than six years after the event—subscribes and swears to the testimony taken before us. In the former he states that he had a commission from the adjutant-general, and procured all his men under that authority. In the latter he swears that he refused to take a commission from the adjutant-general, and to be considered a recruiting officer, and only had a letter from the Governor. In the former he said that he paid a maximum of $600 for men, and $450 for a personal substitute. In the latter he testifies that he paid a maximum of $700 for men and $550 for a personal substitute. In the former he relates that of his 60 or 80 men all but twelve or twenty were men already in the Navy, on board two different war vessels, whose enlisting papers he had bought. In the latter he makes oath that the whole number, not varying ten from seventy-five, were enlisted and mustered into the army in the vicinity of Washington. In the former he plainly implies that he bought the enlistment papers of Stimson's, Gaslin's, Emery's and Manley's men. In the latter he admits that he bought only Emery's and Manley's men, and it is otherwise proved that he did not buy Stimson's. In the former he makes no complaint of misassignment or loss of men. He was so successful that he had men to spare, and after generously donating ten or fifteen men, which the adjutant-general assigned for political purposes at his written request, he sold what he had left so as to get back what he had paid out, and a little more. In the latter he complains under oath that he lost some 50 or 60 men, by the misassignment of the State authorities, and more than $30,000 which he had

disbursed for them, more than what he got back by sale and payment, and that the State authorities repaid this loss by turning over to him 60 or more men from the general naval credits. It is difficult to reconcile these two statements or to make them appear like veritable recitals of the same transaction."

Mr. Farwell's final explanation was that his men were credited to towns by mistake, and that to save him from heavy loss naval credits whose sale would balance his expenses were put at his disposal by Governor Cony. The commissioners mentioned various improbabilities in this story, and regarded it as unworthy of belief. It may be that they did not make sufficient allowance for real defects of memory.

Adjutant-General Hodsdon confirmed Farwell's story and his evidence is valuable. On the other hand, papers relating to the matter had disappeared and some which remained threw doubt on Farwell's tale. An elaborate discussion of the matter might unduly lengthen the chapter and weary the reader. Those with a special interest in the scandal or a fondness for historical puzzles, will find material for further study in the commissioners' report.

Another person who later played a prominent part in Maine politics and who was involved in the sale of credits to towns, was Joseph H. Manley of Augusta. He testified before a committee in 1866 that he had by considerable effort secured the credit to Maine of the men whose names were on his list, and that he refused an offer of $550 a man if he would abandon the Maine claim and prosecute in behalf of Massachusetts. In 1870 Mr. Manley was an officer of the Internal Revenue bureau. A request for his attendance on the commission was sent in, but he seems to have been unable or unwilling to appear.

Chapter XVIII
HISTORY OF MAINE REGIMENTS

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The First Regiment—This was composed chiefly of companies already existing. It enlisted for three months in the United States service, went to Washington, did no fighting, and returned home when its term expired. Many of the officers and some of the men re-enlisted in what was considered by the authorities a new regiment, and named the Tenth Maine. Most of the old companies, however, retained their identity and letter, but Companies A and D, formerly the Portland Light Infantry and Portland Rifle Corps, were not recruited to the required number and other companies were raised to take their place. The new Company A came from Saco. Company D came from Aroostook and New Brunswick, and many of the soldiers were deserters from the English garrisons. Its first campaigning was under Banks in the Shenandoah Valley, where it won high honor and suffered serious loss at Cedar Mountain. It was also heavily engaged in the battle of Antietam. Late in April the regiment was sent home for discharge, the period of service being reckoned as two years from the muster in of the First Maine. Companies A and D and the three years' recruits were retained and formed into the Tenth Battalion. The battalion remained a separate organization, serving in Virginia, Tennessee and Louisiana, for about a year, and was then merged in the Twenty-ninth Maine, which had been raised by officers of the Tenth.

In February the Twenty-Ninth took a highly honorable part in the Red River expedition. A little later it was sent to the Shenandoah Valley, and distinguished itself in the battles of Winchester, Fisher's Hill and Cedar Creek. It remained in the Valley till the end of the war, and took part in the Grand Review at Washington. A portion of the regiment was then discharged; the rest was sent South, where it remained, maintaining order and, with the Freedman's Bureau, governing the district where it was stationed, until June, 1866, when it was then mustered out. An excellent account of the triple regiment, especially interesting at this time, may be found in the history of the First, Tenth and Twenty-Ninth Maine, by Major John M. Gould. This is one of the very best of the histories of Maine regiments. It is not a mere description of battles, but gives a vivid picture of the life of the camp. Bound with the history is a good account of the Tenth Battalion by Chaplain Leonard G. Jordan.

Second Maine Infantry.—The second regiment was drawn from the Penobscot Valley, chiefly from the upper part of the district. Five of the companies were reorganizations of voluntary companies. The others were specially raised. Six came from Bangor, and one each from Brewer, Old Town, Milo and Castine. Although the second to be mustered in, the regiment, thanks to the measles in the First, was the first to reach the front.

It left Bangor on May 14, but did not arrive at Washington until May 30, being obliged to remain on Long Island, New York, for about a fortnight, while it also wrestled with the measles. Flags were presented to it in Bangor, Boston and New York, and at Centreville on the way to Bull Run it received a magnificent silk banner costing $1,200, the gift of Maine ladies residing in San Francisco. It had been sent to the first Maine regiment, and a question arising as to whether this meant the first to enlist or the first to reach the front, the donors were appealed to and they requested Vice-President Hamlin to select to receive it the first to reach the front, or a regiment composed in part of lumbermen. The Second possessed both qualifications, and was given the flag.

The regiment took an honorable part in the battle of Bull Run, where the new flag was saved with the utmost difficulty. Messrs. Whitman and True say in their history, "Maine in the War":

"Capt. Jones of Company C, which was the color company, fell in the first charge, mortally wounded. He was taken prisoner and died during the month, at Richmond, Virginia. Lieut. Skinner of his company was captured while he was endeavoring to rescue him from the enemy. William J. Deane of Company A, color sergeant, was mortally wounded at the same fire as Capt. Jones, while carrying the new and beautiful flag presented to the regiment but the day before from the ladies of San Francisco. He was placed on a stretcher and fell into the enemy's hands, but died the same day. Chaplain Mines wrote that he saw him after he was wounded. He was carried off tenderly and laid on the grass close by a little brook. A shot had broken his arm and cut through his throat, so that he breathed through the wound. Lieut.-Col. Roberts had told him meantime the fate of the flag. He beckoned to the chaplain, who knelt and put his ear close to the sufferer's mouth. He whispered, 'It's safe!' 'What,' said the Chaplain, 'the flag?' He nodded his head, smiled, and closed his eyes. He never spoke again. The flag, stained with his blood, was seized as he fell by Corporal Americus V. Moore of Old Town, a member of Company K, another of the color guard, who was almost instantly shot dead, and the flag was left on ground which the rebels immediately occupied. All shouted at once, 'We must have that flag.' Up the hill Col. Jameson led the regiment. The rebels almost had their hands on the standard, when our men rushed to the rescue, and it was recovered without being polluted by rebel hands."

The flag, or rather the remnant of it which is left, is owned by Mrs. F. L. Tuck of Bangor and was carried in the Liberty Loan parade of April 6, 1918.

The Second had won honor by its bravery at Bull Run, but a little later some of its members stained its reputation by a mutiny. The regiment had enlisted for three months under the President's call, and for two years in the service of the State. While on Long Island they were visited by a United States officer who wished to muster them in for three years, and most of the men signed a three years' engagement but some refused. On August 3, three months after the regiment left the State, 66 men refused to do duty. Such action was unjustifiable, for they were at least bound for

two years to the State. They were arrested, tried by court martial and sentenced to imprisonment on the Dry Tortugas, "but this was commuted to a transfer to the Second New York, where they served about one year when they were returned to the regiment and served faithfully during the remainder of its term." The regiment took part in the Peninsular campaign, doing good work at Hanover Court House and Gaines' Mill. It suffered considerably at the second Bull Run, and at Fredericksburg lost nearly a fourth of the number engaged. The regiment was present but not heavily engaged at Chancellorsville, and about a fortnight later was sent home for discharge, its period of service being considered as two years.

*Third Maine Infantry.**—The Third Maine was mustered into service on June 4, 1861, with Oliver O. Howard as its first colonel. "The regiment was composed largely of hardy specimens of Kennebec lumbermen. The average individual weight of one company was one hundred and seventy pounds." The regiment shared in the long hard march to Bull Run, the misfortunes of the battle and the disorderly retreat. Shortly afterward it was stationed on Flag Hill, and is reported to have executed a neat bit of camouflage. Messrs. Whitman and True say: "The operations of 'the stove pipe artillery,' as it was called, originated here. The boys went into a meeting-house, got a piece of stove pipe, mounted it on a pair of wagon wheels that they obtained, and run it up a hill in sight of the enemy, whereupon the rebels commenced firing at it with their cannon; our boys abandoned their 'gun,' after the first shot, but had the satisfaction of seeing the enemy waste twelve shot on it."[1]

The regiment took part in the Peninsular expedition, and lost nearly a third of its number killed and wounded at Fair Oaks. It was actively engaged in the battles of the Second Bull Run and Chantilly, and greatly distinguished itself at Gettysburg. It again suffered severely in the Wilderness. Its lieutenant-colonel and major were both killed in the first battle of that campaign. Its term of service being about to expire, it was ordered home while in line at Cold Harbor, was returned to Augusta, and there disbanded.

*Fourth Maine Infantry.**—The Fourth Maine Infantry was raised in the Penobscot Bay region. Four companies came from Rockland, two from Belfast and one each from Damariscotta, Winterport, Wiscasset and Searsport. The regiment reached Washington on June 20th. It took part in the battle of Bull Run, losing 21 killed and mortally wounded. By a curious coincidence the first man to fall, Sergeant-Major Chapman, of Rockland, had been the first to enlist.

On September 21 nearly a hundred men in the regiment mutinied. The

*One of Fox's "300 Fighting Regiments." In this chapter a * will be placed at the head of the sketch of each regiment belonging to the 300.

[1]Whitman and True, "Maine in the War," 63.

cause, or pretext, was the same as that which had produced the outbreak in the Second Maine, a dispute as to the term of enlistment, the soldiers claiming that they had enlisted for three months only. They were of course arrested and tried, and 97 were transferred to a New York regiment. Company H was disbanded and replaced by a new company raised in Bangor and Belfast. Colonel Berry, the commander, though an officer of unusual ability, was not fitted to cope with a mutiny. His kindness of heart and love for his men made him unwilling to take severe measures. Perhaps his reluctance was increased in this instance by the circumstance that the chief offender, Company H, came from his home town, Rockland, and that Company D, which was also seriously involved in the affair, contained many Rockland men.

The Fourth was, however, by its splendid courage, to make noble atonement for the misconduct of some of its members. The regiment did not take a prominent part in the Peninsular campaign, although it was engaged in a sharp fight at Fair Oaks, but it greatly distinguished itself at the Second Bull Run and at Chantilly. In the first battle it lost in killed and mortally wounded, twenty per cent. of the men actively engaged, and in the second battle twenty-five per cent. At Fredericksburg its loss was much greater. It was not involved in any of the hopeless and fatal attempts to storm the enemy's position, but it fought splendidly in meeting a Confederate attack and lost more than half of its number. It took part in the battle of Chancellorsville, and at Gettysburg was engaged in the desperate struggle of the second day. Its losses were not so large as at Fredericksburg, but were still very severe. Both Colonel Walker and Major Whitcomb were wounded, the latter mortally, and there being no lieutenant-colonel, the command developed on a captain. At the battle of the Wilderness it met with its severest loss, 46 killed and mortally wounded, 122 wounded and 3 missing. It was lightly engaged at the Po River and Spottsylvania, and more heavily at the North Anna. "The Fourth Maine lost three majors killed in action: Major Pitcher was killed at Fredericksburg, Major Whitcomb fell mortally wounded at Gettysburg, and Major Grey was killed at the Wilderness." The term of service of the regiment expired on the 15th of June, 1864, when it was ordered home for muster-out, and the recruits remaining in the field were transferred to the Nineteenth Maine.

Fifth Maine Infantry.—The Fifth Maine Infantry was the first regiment from the State which was composed entirely of new companies. Lieutenant Bicknell's history of the regiment gives a roster of companies by which it would appear that Portland furnished three, and Gorham, Biddeford, Saco, Brunswick, Lewiston, Bethel and Minot, one each.

Its experiences on the journey to Washington, the march to Bull Run and in the battle, were similar to those of other Maine regiments. Like the Second and Fourth, it was guilty of mutinous conduct, but not for

the same reasons. There had indeed been some difference of opinion as to the true term of service. Mr. Bicknell states under date of August 31: "About this time there was much excitement and discussion upon the question whether the Fifth Maine was really a three years' or a three months' regiment, many taking the latter ground. But it finally quieted down into a settled conviction that we were good for three years, unless sooner discharged by death or the War Department. We all thought that the former was destined to do the heaviest business in that line." Trouble came not because of any question of service, but from the appointment of new officers. Colonel Dunnell resigned, and the officers of the regiment "elected" (really expressed a wish that the Governor would commission) Lieutenant-Colonel Illsley, colonel; Major Hamilton, lieutenant-colonel; and Captain Thompson, major. But about a week later there came a report that Colonel Jackson, formerly of the First Maine, was to take command. Lieutenant Bicknell says: "Now there was fun among the officers. They laughed at *our* speculations, but methinks we could then see expressions of intense anxiety and disappointment depicted on their countenances. If he came, of course, the recently elected officers failed of promotion. Fearful accounts had reached us of his 'tyranny,' yet there was not a man who did not know that we needed somebody to straighten us out. Our discipline was at the lowest ebb."

The feeling was the stronger because the adjutant and quartermaster were also superseded by former members of the First Maine. The new men had never been under fire, the officers of the Fifth had, and had done well, and it was felt that they deserved promotion. Moreover, Jackson was a Republican, Illsley a Democrat, and it was suspected that this was the real cause of the favor shown to Jackson.

Officers encouraged the men to disobey Jackson's orders. Captain Thompson made a speech criticising the action of the Governor, and denouncing the appointments from the First Maine in bitter and unmeasured terms.[1] Speeches announcing that they should leave the regiment were made by Illsley and Hamilton. The next afternoon crowds gathered before headquarters, yelling "Send Jackson home." "The camp for an hour was almost a pandemonium; all order was destroyed." At last the arrival of an aide of General Slocum's, threats of the Dry Tortugas, and the tardy effort of the line officers restored quiet and the soldiers saw that there was nothing to do but submit.

"So ended the mutiny in the Fifth Maine, nor was a second ever attempted. Under Colonel Jackson the regiment grew; a strict discipline

[1] General Butler says in his "Book" that for the commander of a battery which he wished raised in Maine for the New Orleans expedition he recommended "Captain Thompson, one of the best artillery officers that I ever knew, as well as one of the most pronounced Hunker Democrats. But I may say here that when he got to New Orleans and saw the iniquities of the system, he turned one of the most virulent opponents of slavery in my command, save Phelps."

was inaugurated, special care was given to the comfort and welfare of the troops, and but a few weeks rolled by before we were as proud of our battalion as we were ashamed before. Colonel Illsley afterward served in the Twelfth Maine as adjutant, under Colonel (afterwards General) Shepley. Captain Thompson also re-entered the service, and served with considerable distinction as commander of the First Maine Battery.

"Quiet and order restored, the power of the ringleaders destroyed, we proceeded to the regular duties of the camp. None were punished, a fact which served to render Jackson popular at once."

In the Peninsular Campaign, the regiment did good work, with slight loss at West Point, and made a gallant charge with heavy loss at Gaines' Mill, the casualties amounting to 10 killed, 69 wounded, and 16 missing. "Colonel Jackson was wounded and carried from the field, and Lieutenant-Colonel Heath, upon whom the command then devolved, while riding up to ascertain whether our troops were firing on friends or enemies, was shot through the head and died instantly." Major Scanman was in the hospital, and for a while each man fought as pleased him best. The regiment was also engaged at Charles City Cross Roads, standing firm under a terrific cannonade. At Antietam and the first Fredericksburg the regiment was in reserve; it did excellent work at the second Fredericksburg and Salem Church. In the latter battle it lost exactly one-third of those engaged. In the Gettysburg campaign it did little fighting, but some very severe marching. Lieutenant Bicknell says: "The Sixth Corps, led by the Fifth Maine Regiment, arrived at Gettysburg, having made a continuous march of nearly forty miles in nineteen hours, all this after the forced marches of nearly a week. During that severe march, I am reliably informed that in our own regiment there were only four stragglers."

A little later the regiment took part in one of the most brilliant episodes of the war at Rappahannock Station. It was actively engaged in the battles of May 10 and 12 at Spottsylvania and suffered terrible loss. It was also engaged though much less severely at Cold Harbor and soon after was relieved from active service as its term of enlistment had expired. The later recruits who still owed service formed a battalion which became a part of the First Maine Veteran Infantry.

*Sixth Maine Infantry.**—The historian of the regiment says:

"Of the ten companies, half were from Central Maine, and half from the coast. It was a happy combination of the sailor, the lumberman, the student, the farmer, the merchant and the laborer, with a lucky absence of the politician.

"The Old Town company was composed of big men, they taking uniforms several sizes larger, on the average, than had ever been made, either in Maine or Massachusetts, and were styled 'the Jam Breakers.' Sixty-six of these men averaged six feet in height and one hundred and sixty-six pounds in weight.[1] Many were river-drivers and wood-choppers by pro-

[1] Fox says that the average height in the Union Army was 5 feet 8¼ inches, that the soldiers from Maine, Indiana, Iowa, Kentucky and Missouri were slightly above this height, and that the average height of the West Virginians was 5 feet 9 inches.

fession, and had a reputation for skill and daring in breaking jams of logs when running them on the turbulent waters of the Penobscot and its branches, hence the very appropriate title which they bore."[4]

The regiment arrived in Washington on July 19, and a few days later held a thanksgiving on news of a victory at Bull Run! It went to the Peninsula, took part in Hancock's fine charge at Williamsburg, and, like the other regiments engaged, received the personal thanks of General McClellan. A little later it suffered the mortification, not uncommon in the war, of being stampeded in the night by a lot of mules. The regiment did good work at Garnett's Farm, and was engaged in some of the Seven Days Battles and at Antietam.

Of its splendid courage at Fredericksburg and Rappahannock Station, mention has already been made. The Sixth took part in the famous attack at the Bloody Angle, Spottsylvania, losing 37 killed and mortally wounded, only one less than at Fredericksburg; the total loss was 125. Two days later the regiment, though mustering only 70 men fit for duty, was under fire for eight hours and had 16 killed or wounded. Daily skirmishes ensued, but no casualties were experienced until the arrival of the army at Coal (Cold) Harbor, where for twelve days the remnant of the regiment was employed in digging rifle-pits and skirmishing in close proximity to the enemy's defenses, losing in all about fifteen men. They were soon transferred to Petersburg, and on July 12, as their term of service was about to expire, they were sent to Washington. This was the time of Early's raid, and they volunteered to remain thirty days for the defense of the city, but on Early's retreat they were sent home and were mustered out August 15. "About 238 men, whose time had not expired, remained in the service and were classified as the Sixth battalion." Messrs. Whitman and True say of the regiment: "In three battles they led the attack, where they left on the field not less than half of their number engaged." The Sixth battalion was subsequently merged in the First Maine Veteran Infantry.

*Seventh Maine Infantry.**—The Seventh Maine was raised in various parts of the State. On August 23, 1861, the regiment set out, as was supposed, for Washington. Contrary to expectation, orders came to stop in Baltimore and camp was pitched in Bellevue Garden in the western part of the city. Three weeks later the camp was moved to an unhealthy place, and as a result "sickness was very prevalent and deaths frequent, which prevented the regiment being ordered upon the great expedition then rendevousing at Annapolis under General Burnside." When the regiment finally left for the front it had lost 80 men by disease. It took part in the Peninsula Campaign, where it had 5 men killed or mortally wounded, but its first hard fighting was done at Antietam, where the folly of a whiskey-

[4]Fox, "Regimental Losses," 62. Clark, "Campaigning with the Sixth Regiment, Eastern Maine, in the Rebellion," 63.

drinking brigade commander caused a loss in killed, wounded and missing of over half its men. The next month it was ordered home to recruit. Five companies * * * under command of Lieutenant-Colonel Selden Connor rejoined the army in January. They were engaged at Fredericksburg, and suffered a loss of 12 killed, 49 wounded, and 31 missing. In the battle of the Wilderness the regiment helped save the right wing, if not the army, when Gordon's carefully planned flank attack had swept away Shailer and Seymour's brigades. The regiment was nearly surrounded, and was called on to surrender, but Major Jones, who was in command, answered "All others may go, but the Seventh Maine never." At the Bloody Angle the Seventh "fought the enemy's breastwork at forty-five paces for three hours, losing one hundred and thirty-eight officers and men." The adjutant and two captains were killed, the colonel, the major and three captains wounded. A few days later it was engaged in the first of Upton's splendid assaults at Spottsylvania. It was also chosen to take part in the second, but its former major, T. W. Hyde, who was then acting as aide to General Sedgwick, knowing the loss that the Seventh had already suffered, induced the corps chief of staff to substitute another regiment.

The Seventh was a part of the force sent to Washington when Early made his raid and helped drive the enemy from the front of Fort Stevens with President Lincoln watching their charge. Major Jones was killed in this attack, "as faithful and brave an officer as the country could boast of and known throughout the army of the Potomac as 'the fighting Quaker.'"

The regiment served for a short time in the Shenandoah and then was sent to Maine for muster out. Their old commander, General Hyde, says of them: "Enlisted just after Bull Run, composed of people exasperated at our defeat, and going down to Virginia meaning business, it is little wonder they made a good record. Not once did they do anything the proudest infantry of this or any other time would be ashamed of. A lot of zealous, patriotic Maine boys, averaging somewhere about twenty-two years, they proved themselves worthy descendants of the farmer soldiers who held this border, the debatable ground, against savage and Frenchman, and who placed the English banners over Louisbourg. Another generation of their ancestors assisted in nearly every battle of the Revolution, when from Kittery Point to Machias no draft or enforced enlistment, but patriotism alone 'robbed the cradle and the grave.'"[1]

The members of the regiment remaining in service were formed into five companies which later became a part of the First Maine Veteran Infantry.

*Eighth Maine Infantry.**—The Eighth Maine Infantry left the State on September 10, 1861, and in the following month sailed from Annapolis with General T. W. Sherman's expedition to Port Royal, South Carolina.

[1] Hyde, "Following the Greek Cross," 232.

Landing at Hilton Head, November 8, it remained on duty in that Military Department over two years. During its stay there it took part in the reduction of Fort Pulaski, the occupation of Jacksonville, Florida, and was present at the bombardment of Fort Sumter. Most of the time, however, was passed in garrison duty at Hilton Head, and Beaufort, S. C. In the meantime the regiment received about 300 recruits and 200 conscripts, which kept its ranks up to the maximum, although the loss by disease had been very large. In March, 1864, a proposal for re-enlistment was accepted by 16 officers and 330 men, who returned to Maine on the thirty days' furlough granted in such cases. The colonel obtained through Governor Cony a transfer of the regiment to the north, but this proved to be only a change from death by disease to death by bullets. The Eighth joined the Army of the James on April 29, 1864, and in less than a year had so many men killed that it won a place in the "300 fighting regiments." At Drury's Bluff it lost almost a quarter of the men engaged. Four days later a detachment of 190 men suffered 83 casualties. At Cold Harbor the regiment lost 100 out of 350. It took part in the unsuccessful assaults on Petersburg in the middle of June, where the loss of life was greater than in any battle in which it had been engaged. Its loss in the trenches at Petersburg was also very severe. In September the veterans of the regiment were mustered out, but enough men remained to permit the regiment to retain its organization. It fought at Fair Oaks, Spring Hill, the storming of Petersburg, and Rice Station, losing 20 killed and mortally wounded, and was present at Appomattox. It remained in Virginia at Richmond, Manchester, and Fortress Monroe until January, 1866, when it was mustered out.

*Ninth Maine Infantry.**—The history of the Ninth Maine Infantry is very similar to that of the Eighth. Fox says:

"The Ninth left the State, September 24, 1861, and in the next month sailed from Fort Monroe for Hilton Head, S. C. The year 1862 was spent in garrison duty until June; then it joined the forces operating in Charleston Harbor. Led by Colonel Emery, it participated in the assault of Strong's brigade on Fort Wagner, and in the opening fight on Morris Island captured two of the enemy's flags. During the siege of Fort Wagner its casualties, in the assaults and in the trenches, amounted to 189 in killed, wounded, and missing. In October, 1863, the regiment moved to Black Island, S. C. While there, 416 of the original members re-enlisted and received their furlough. On April 18, 1864, the Ninth proceeded to Gloucester Point, Va., where it was assigned to Ames's Division, Tenth Corps. Ascending the James river, the troops landed at Bermuda Hundred, and advanced immediately on the enemy's lines. Severe fighting followed, and in the battle of May 20 the casualties in the regiment were 9 killed, 39 wounded, and 4 missing. At Cold Harbor, having been transferred to the Eighteenth Corps, it joined in the assault with a loss of 12 killed, 55 wounded, and 5 missing. While in the trenches before Petersburg, on June 30, 1864, in an affair on the picket line, there was a loss of 7 killed, 34 wounded, and 5 missing, out of 102 who went into the fight. The loss at

Deep Bottom was 5 killed, 21 wounded, and 29 missing. Only 201 were present for duty when ordered to Chaffin's Farm; in that battle Lieutenant-Colonel Gray fell at the head of the regiment."

The regiment also participated in the battle of Darbytown road where it suffered heavy loss. In 1865 it was sent to North Carolina where it remained until its muster out in the following July.

Tenth Maine Infantry.—See First Maine Infantry.

Eleventh Maine Infantry.—The Eleventh Maine was mustered into service on November 12, 1861, and was the first regiment raised in Maine at the direct expense of the general government. It was at once sent to join the Army of the Potomac and took part in the Peninsular campaign. Its good conduct at Fair Oaks has already been mentioned. In the "change of base" it did excellent rear guard work. After the bulk of the army had been withdrawn to Washington, the Eleventh was left in garrison at Yorktown, whence it made two successful forays. From Yorktown it was sent to the southern coast and served in North and South Carolina and Florida until the spring of 1864, when it was sent to the James. While on the coast its chief duty was the manning of guns, including the famous "Swamp Angel," engaged in the bombardment of the defenses of Charleston Harbor and of the city itself. At the James it took part in various battles, and lost heavily at Deep Bottom and Fussel's Mills. In November, 131 of the original members of the regiment were mustered out, their term having expired, and some 200 recruits were received. At the capture of Petersburg a portion of the regiment took part in the storming of Forts Gregg and Whitworth. The regiment was part of Ord's corps, which cut off Lee's retreat at Appomattox, relieving the cavalry, which was just giving way. Here an imprudent advance caused the regiment some loss and its commander was wounded and taken, but released, as the Union troops were pressing his captors closely. The regiment was extricated and reformed and two companies sent forward as skirmishers. Firing and shouting were now heard behind them, and all feared the enemy had gained their rear, but the officers decided to push for the woods, which they had been ordered to occupy. Presently, however, an excited Union officer was seen approaching on the gallop, and coming within hearing distance he shouted, "Halt, boys! halt! Lee has surrendered and the war is over." But service was not over for the Eleventh, and the regiment remained on duty until January, when orders were issued for its muster out, which took place on February 2, 1866.

*Twelfth Maine Infantry.**—The Twelfth Maine was raised with the understanding that it was to form part of General Butler's expedition against New Orleans. It might well have been styled the lawyers' regiment. Messrs. Whitman and True say: "Col. Shepley for several years was United States District-Attorney, and one of the ablest and most eloquent

lawyers in the State. Lieut.-Col. Kimball had been formerly United States Marshal. Three of the field officers and six of the captains were lawyers, and nine of the lieutenants were either lawyers or law students."[6]

In Louisiana the regiment made two raids on Pass Manchac. The first was very successful. In the second the Twelfth was obliged to retreat, losing 12 killed and several wounded and taken, out of 112 engaged. The regiment was under fire at Irish Bend, but suffered no loss. At Port Hudson it took part in both assaults; in the first "its flag was the first one planted on the outside of the parapet, the contending parties approaching so near each other that bayonets were crossed. . . . The conduct of the regiment was specially commended in general orders. After the second assault the Twelfth held an advanced position where men were killed and wounded daily until the end of the siege. Its good work was recognized by its being chosen to take part in the ceremonies of the formal surrender."

On April 16, 1864, two-thirds of the regiment re-enlisted. In July it was transferred to the James river, Virginia, where it took part in the operations against Petersburg until the close of the month, when it was transferred to the Shenandoah Valley. It suffered heavily in the battle of Winchester, was in reserve at Fisher's Hill, and participated in the disaster and the triumph of Cedar Creek, losing 102 in killed, wounded and prisoners. In November its term expired and about 80 men returned to Maine for muster out. The re-enlisted men, about 376 in number, were formed into a battalion, and were sent to Georgia. The battalion once more became a regiment by the addition of six companies of unassigned infantry organized in Maine in the winter of 1865 for one, two and three years' service. The one year men were mustered out at the end of their term in February and March, 1866, and the rest in April of that year.

The Thirteenth Maine Infantry.—The Thirteenth Maine might have been called the Prohibition regiment, for it was raised and commanded by Neal Dow, by the special request of Governor Washburn. The field officers were selected by the colonel, and mothers who had objected to their sons enlisting on account of the temptations of army life were willing that their boys should serve under Neal Dow. Many regiments, however, were being raised, the Thirteenth filled slowly, and it was not mustered in until December 31.

The regiment was sent to Louisiana, and the ship which carried Colonel Dow and four companies, and also had General Butler on board, was caught in a storm off Cape Hatteras and might have been lost but for the assistance rendered by soldiers who had been sailors before they enlisted. The regiment took part in an expedition to Texas and in the Red River expedition, rendering good service both at Sabine Cross Roads and at Pleasant Hill.

[6]The Twelfth might also have been called the Democratic regiment. General Butler took special pains to select Democrats for officers, as he believed that they had been discriminated against by a Republican administration.

In July it was sent to the Shenandoah Valley, where it did much marching but little fighting, and was discharged on January 6, 1865. A large majority of the men, however, re-enlisted as veterans, and with the recruits whose time had not expired were formed into three companies and incorporated with the Thirtieth Maine.

Fourteenth Maine Infantry.—The Fourteenth Maine was mustered in on the same day as the Thirteenth, December 31, 1861, and was at once sent to Louisiana. Its good work at Baton Rouge has already been mentioned. It also took part in the siege of Port Hudson, and seven officers and forty-nine men volunteered for service in the storming column for the third assault which did not take place owing to the surrender of the town. On January 1, 1864, "All but forty of the men who were eligible re-enlisted for an additional three years' service." In July they were transferred to the Shenandoah Valley. "The invigorating influences of mountain scenery, pure air and good water, with the lightness of duties in comparison with that which the regiment had previously performed, made their few months campaigning in the Shenandoah Valley the most agreeable . . . military experience of the regiment."

The Fourteenth, however, had more serious duties than resting and admiring the view. It fought gallantly at Winchester and Cedar Creek, where it lost about a third of its number in killed, wounded and prisoners. At Cedar Creek the losses were even heavier, being forty per cent. of those engaged. On December 25 the regiment was sent home for muster out, the re-enlisted men and recruits being formed into a battalion and retaining the regimental colors. The battalion was sent to Georgia and became a regiment once more by the addition of unorganized companies. The regiment was finally mustered out in August, 1866.

Fifteenth Maine Infantry.—The Fifteenth Maine was mustered in on January 23, 1862. It was ordered south, served in Louisiana, Florida and Texas and suffered much from disease. In the Red River expedition it helped save the army at Sabine Cross Roads, and was engaged in the battle of Pleasant Hill and in the minor actions of Cane Crossing and Mansourah. It was later transferred to the Shenandoah Valley, but did no serious fighting there. After the close of the war it served in South Carolina, and was not mustered out until July 5, 1866. It served the longest of any Maine regiment, and lost the most from disease. This great mortality was due to the unhealthy climate of the districts where it was stationed.

*Sixteenth Maine Infantry.**—The Sixteenth Maine was mustered in on August 14, 1862. The regiment was particularly unfortunate. They were first stationed at Washington, then sent in haste to Maryland without their knapsacks or overcoats. The regiment left Washington on September 7 and received their clothing on November 27. The suffering of the men both

physical and mental was intense, the mental being perhaps the worse. Hospital Steward Eaton says:

"*Clothes* help make history, hence the name the Sixteenth won at Sharpsburgh. Through the inefficiency and neglect of the quartermaster's department at Washington, (and the corps, division, and brigade quartermasters were not blameless), the men were made to feel mean and despicable, and felt as does a poor boy at school, when the well-dressed student resents the contact of blue jean with broadcloth. How those men suffered! Hunger, daily felt, was nothing compared with it. Men of education, of refinement, and wealth, who willingly and cheerfully gave up home, with all its love and comfort, for country, made to feel degraded for want of proper clothing!

"September, October, and then the long march in November to the Rappahannock, through storms of sleet and snow; without shelter, without overcoats, shoeless, hatless, and hundreds with not so much as a flannel blouse, many without blankets; and through all that long, sad and weary tramp, we were jeered at, insulted, and called the 'Blanket Brigade!'

"All the applications of the colonel and quartermaster for a return of clothing and shelter, left at Tillinghast; all the requisitions for something in substitute; all the earnest appeals, and letters of explanation are on file, many of them bearing the endorsement, 'disapproved.' Requisitions for shelter and clothing lay in pigeon-holes for weeks, but requisitions for whiskey were signed forthwith. Perhaps to the latter can be charged our non-recognition, as well as three-fourths the disasters which befell the Army of the Potomac.

"Out of all this suffering grew a grand resolve which nothing ever after caused to waver. Out of it came a lasting patriotism and courage that no privation, no danger, could abate. The few short months developed a new set of men, and what *kind* of men let Fredericksburg tell. All that time God was busy making heroes."

On December 13 the regiment took part in the battle of Fredericksburg. Although in action for the first time it charged with magnificent courage and obtained a footing in the enemy's works. Lack of support, however, compelled the Sixteenth to withdraw. Captain Waldron wrote a week later that in the retreat over ground commanded by the enemy, the regiment lost 30 to 40 per cent. of those taken into action. The total loss in killed and wounded was 54 per cent. The regiment had one comfort, it had cleared its reputation. Adjutant Small says: "The past was redeemed, the voice of insult and reproach was forever silenced. The regiments which had hitherto ignored our claim to an honorable name, joined heartily . . . in three cheers and a tiger for the Sixteenth, whose casualties were half the loss of the First Brigade."

The members of the Sixteenth were not all of the masculine persuasion. Company I boasted of the presence of one of the gentler sex in the ranks, who did good service at Fredericksburg. She is thus spoken of by the Richmond *Whig:*

"Yesterday a rather prepossessing lass was discovered on Belle Isle, disguised, among the prisoners of war held there. She gave her real name

as Mary Jane Johnson, belonging to the Sixteenth Maine regiment. She gave as an excuse for adopting her soldier's toggery, that she was following her lover to *shield* and *protect* him when in danger. He had been killed, and now she had no objection to return to the more peaceful sphere for which nature, by her sex, had better fitted her. Upon the discovery of her sex Miss Johnson was removed from Belle Isle to Castle Thunder. She will probably go north by the next flag of truce. She is about sixteen years of age."[1]

At Gettysburg the regiment did magnificent service and was almost annihilated. In the following year the Sixteenth took an active part in the marching and fighting, and also ran great danger and suffered considerable loss in holding the advanced lines. During the attack on the Weldon railroad the regiment was assailed in the rear on two succeeding days and suffered heavy loss. On the first day 35 men were captured, and on the second, 87. The total loss was 152 out of about 240 engaged. In February the regiment took part in the battle of Hatcher's Run, losing in two days 74 killed and wounded. The regiment also suffered considerably at the battles of Gravelly Run and South Side Railroad, and was present at Appomattox Court House at the time of the surrender. It took part in the Grand Review in Washington City, and was then sent to Augusta, paid off and disbanded.

*Seventeenth Maine Infantry.**—The Seventeenth Maine was recruited chiefly from the counties of Cumberland, Oxford, Franklin, York and Androscoggin, and was mustered into service on Augusta 18, 1862. The regiment took part in the battles of Fredericksburg, Chancellorsville and Gettysburg. At Gettysburg it greatly distinguished itself, losing 18 killed, 112 wounded and 3 missing. It also took an active part in the Wilderness to Petersburg campaign. It was one of the regiments which stormed the Bloody Angle, and Sergeant Haskell and Private Totman captured the Confederate division-commander, Major-General Johnson. During the siege of Petersburg it was heavily engaged and suffered severe loss at the Weldon Railroad and Hatcher's Run. The regiment shared in the pursuit of Lee, and took an honorable part in the battle of Deatonville and the capture of an important wagon-train.

*Eighteenth Maine Infantry.**—See First Maine Heavy Artillery.

*Nineteenth Maine Infantry.**—The historian of the regiment says: "The Ninteenth was exceptionally strong in many respects. From soldiers, sick and wounded, returning from the theater of war, the men who constituted the regiment had the opportunity of learning from the experience of others, that the war was no holiday affair. They knew something of what enlistment meant in hardship and suffering. Large bounties appealing to mercenary motives had not yet been offered. Men who entered the service at this time were generally prompted by patriotism." The men who composed

[1] Small, "Sixteenth Maine Regiment," 89-90.

the regiment came principally from the counties of Somerset, Kennebec, Sagadahoc, Waldo, Knox and Lincoln. The Nineteenth was mustered in August 25, 1862. It was present at Fredericksburg, but suffered no loss of life. In the ensuing winter, however, nearly 100 men died from disease. In the spring, as a reward for good conduct and the excellent condition they were in, twelve regiments out of some 300 were given an extra number of furloughs, and one of those thus honored was the Nineteenth Maine.

At Gettysburg, on the second day, after the retreat of the Third Corps, the regiment made a gallant charge, driving the force in front. The Nineteenth brought three cannon back in triumph, and it claimed that other cannon which the enemy had abandoned and two flags which had fallen were "gloriously" captured by other regiments while the Nineteenth, not stopping to pick up trophies, was pursuing the enemy. On the third day, when Pickett's men had pierced at one point the Union line, the Nineteenth was one of the regiments hurried to the rescue and helped to capture what was left of the Confederates who had crossed the stone wall.

At the Wilderness the regiment fought with great gallantry and prevented the enemy from discovering and taking advantage of the confusion of the Union troops. It lost in this battle 34 killed and mortally wounded, 97 wounded and six missing. The regiment again lost heavily at Spottsylvania. It was engaged at the North Anna, but not so severely. At the Jerusalem Plank Road the regiment was attacked in the rear, through no fault of its own, and lost 97 men. "Every one of the six members of the color guard was killed or wounded but the flag never touched the ground." It was engaged in the unfortunate battle of Ream's Station, and changed from one side of the works to the other four times. The regiment fought well at the battle of the Boydton Plank Road. It was also engaged at Hatcher's Run, and saved a most important bridge in the final pursuit of Lee. It was mustered out in May, 1865.

*Twentieth Maine Infantry.**—The Twentieth Maine was mustered in on August 29, 1862. It was especially fortunate in its commanders. Its first colonel was Adelbert Ames of Rockland, a graduate of West Point in 1861, who had already distinguished himself at Bull Run and elsewhere, and who was destined to win the highest honor at Fort Fisher. He was succeeded by Joshua L. Chamberlain, whose excellent work at Round Top and in Virginia has been described in another chapter. Both these gentlemen became brevet major-generals of volunteers and after the war Governors of States,—General Ames of Mississippi, and General Chamberlain of Maine.[8]

[8]Like all the Northern governors of Southern States in reconstruction times, General Ames made serious mistakes which ended in the complete overthrow of his policy, but Garner, the best historian of Mississippi in this period, who was born and bred a Southerner, says of Governor Ames: "His political opponents testify to his personal integrity, courteous demeanor, and his education and refinement. No well-informed Democratic politician ever accused him of peculation or plunder. The unanimous testimony is that his failure was due to the circumstances surrounding his advent into Mississippi." Some account of Governor Chamberlain's administration is given in another chapter.

The Twentieth Maine was warmly engaged at Fredericksburg, and at Gettysburg rendered most valuable service and suffered heavy loss. Its skirmishers took part in the capture of Rappahannock Station. It greatly distinguished itself at Spottsylvania, the Wilderness, Peebles Farm and Five Forks, and was one of the regiments which received the surrender of Lee's army. In June the regiment was mustered out.

Twenty-first to Twenty-eighth Maine Infantry.—The Twenty-first to Twenty-eighth regiments were enlisted for nine months only. The Twenty-first, Twenty-second, Twenty-fourth, Twenty-sixth and Twenty-eighth served in Louisiana. All were engaged in the whole or part of the siege of Port Hudson. The Twenty-first and Twenty-second suffered severely; the Twenty-eighth escaped more easily, while the Twenty-sixth had but three men killed in the assault. The Twenty-fourth had a few wounded, but none killed. Indeed, this regiment was so fortunate as to have none killed or mortally wounded during its service. The Twenty-second and Twenty-sixth were in the battle of Irish Bend; the Twenty-sixth was much the more severely engaged, and lost over twenty per cent. of its number in killed and wounded. The Twenty-third, Twenty-fifth and Twenty-seventh were never in battle. The Twenty-third contained an unusually large number of men of culture and means. The Twenty-fifth built near Washington for its own use "the most elaborate and permanent camp ever constructed in the department and still stands, a witness of the skill and ingenuity of Maine woodsmen." The Twenty-seventh, whose time had expired while Lee was invading Pennsylvania, and who believed that they should have been discharged earlier, were asked by the President to remain for the defense of Washington until the expected battle had been fought. The request came at a most inopportune time. It was almost July and those who were farmers had arranged and expected to be at home to secure their hay crop. Meantime "they were paying several times the daily wages they received from the government, for labor upon their farms, which they could better have performed themselves," but 315 consented to remain. Early in 1865 they were given medals in commemoration of their staying over time.

Twenty-ninth Maine Infantry.—See First Maine Infantry.

Thirtieth Maine Infantry.—Whitman and True say of the Thirtieth Maine:

"This regiment on its organization had much good soldierly material, and like all of the regiments formed in the latter years of the war, it had also some whom large bounties and misguided zeal of recruiting officers had drawn into the service without proper regard for their fitness. It had also quite a number of old men and discharged soldiers, whose disability was only apparently removed. A large proportion of its men and officers were, however, experienced soldiers."

The regiment was mustered in on January 1, 1864, and was sent to Louisiana. It assisted in repelling the enemy at Sabine Cross Roads and was hotly engaged at Pleasant Hill. It was being driven and broken, but on receiving reinforcements regained its position and repulsed the enemy. It lost 5 killed, 58 wounded and 29 missing, the last mainly from companies of skirmishers. The regiment took the leading part in driving the enemy from Cane River Crossing. In July the regiment was transferred to the James and a little later to the Shenandoah. Here although it performed more fatiguing duty than the remainder of the army, and was constantly engaged in moving and guarding stores, in marching up and down the valley, and in protecting from guerillas valuable supply trains, it failed to share the glory of General Sheridan's battles and victories." The regiment served in the Valley, in Washington and in Georgia, until August, 1865, when it was returned to Maine and mustered out.

*Thirty-first Maine Infantry.**—The Thirty-first did not reach the front until April, 1864, yet in less than a year of service it won a place as one of the "fighting regiments." In less than a month after leaving home the regiment went into action at the Wilderness, and on May 12th was hotly engaged at Spottsylvania, where it lost 11 killed, 94 wounded, and 1 missing. In the fighting at Bethesda Church, June 3d, it lost 15 killed and 39 wounded, and behaved with such gallantry that General Griffin (the brigade commander) complimented it in orders. The regiment rendered efficient service in the assault on Petersburg, June 17th, and at the Mine explosion it was among the first to enter the enemy's works. Its losses at the mine were 9 killed, 26 wounded, and 51 captured or missing. In October there were only about 60 men left on duty, then two new companies joined the regiment, and in December it received an accession by the consolidation with it of the Thirty-second Maine; 485 men were thus transferred on the rolls, of whom only 181 were present for duty. In less than one year's time the Thirty-first Maine lost 674 men killed or wounded in action, three-fourths of this loss occurring in May, June and July, 1864. After the war had ended the regiment was stationed at Savannah, Ga., until August 20th, 1865, when it was mustered out.

Thirty-Second Maine Infantry.—The Thirty-Second was the last of the Maine Infantry regiments. It was hurriedly recruited and six companies were sent to the field before the other four were raised. The regiment could boast of the youngest soldier Maine furnished to the army, Edwin C. Milliken, a boy barely fourteen. The Thirty-Second did its first fighting at Spottsylvania, where it suffered forty casualties. It incurred further loss at the North Anna. It was also engaged at Cold Harbor in the attack on Petersburg in the middle of June. It took part in the disaster of the Mine, losing at least 102 men out of 150 engaged. At Pegram Church the regiment lost nearly half of the small number present for duty.

The Thirty-second had suffered terrible losses by death, captivity and disease, the morning reports of December 1 showed that some companies did not have a single commissioned officer present for duty, and by order of the War Department the regiment was consolidated with the Thirty-first Maine.

First Company Maine Sharpshooters.—Maine also furnished a company of sharpshooters which did excellent service. The company was mustered in on November 2, 1861. "The men were subjected to special tests of marksmanship and were furnished with an outfit of superior clothing and uniforms." Their first captain was James D. Fessenden, a son of William Pitt Fessenden, who later obtained the rank of brevet major-general of volunteers. Its first loss was incurred not in battle but in a railroad accident, one man being killed and twenty-two injured, some of them severely, in a collision near White Plains, Virginia. The company became a part of Berdan's Second United States Sharpshooters, and rendered excellent service throughout the war.

*First Maine Cavalry.**—The First Maine Cavalry was raised in the autumn of 1861. The historian of the regiment, Sergeant-Major Tobie, claims that members of the regiment were of the best class that went from the State. They realized the advantages possessed by the South and that the war would be long and hard, and they enlisted after serious consideration as a matter of duty. Service in the cavalry meant freedom from long marches on foot, and had a glamor of romance, it also gratified the pride. Said the Lewiston *Journal:* "Men—and sometimes women—like to rule, and if it is only a horse, it yields some satisfaction. The conquerors of the world are always represented on horseback." Skill in horsemanship, however, was not among the reasons which led citizens of Maine to enlist in the cavalry. Mr. Tobie says: "Those first mounted drills, will they ever be forgotten as long as one lives who saw them? Most of the horses had never before been ridden on the back, and most of the men knew as little about it as did the horses."

The regiment was kept at Augusta through the winter, where it suffered considerably for lack of blankets and warm clothing. From the common soldier faults of profanity and intemperance, the men appear to have been remarkably free. In March the regiment was transferred to Washington. Its first campaign was in the Shenandoah Valley. Stonewall Jackson was marching against Banks with a superior force, and endeavoring to cut him off from Winchester. The First Maine Cavalry, under the skillful leadership of Colonel Douty, did much to hold the Confederates in check and enable Banks to reach Winchester. During the retreat the regiment made an injudicious charge and suffered severely in men and horses, though only two men lost their lives. It is claimed that neither Colonel Douty nor his men were responsible for the blunder. By a coincidence

similar to that in the history of the Second Maine, the first man to be hit (though in this instance not killed) had been the first to enlist, Major Cilley, a son of Jonathan P. Cilley.

The regiment was present at Cedar Mountain, and took an active and exhausting, if not particularly inspiring or glorious part in Pope's retreat. It also took part in Stoneman's raid. In the Gettysburg campaign it greatly distinguished itself by saving the day at Brandy Station, and again at Aldie, its commander, Colonel Douty, being killed in the latter battle On the third day of Gettysburg the regiment assisted in the repulse of Stuart's cavalry, who were attempting to outflank the Army of the Potomac and strike its train and rear at the same time that Pickett made his desperate assault at Cemetery Hill. On July 16 the regiment was engaged in a sharp fight at Sheppardstown, rendering to and receiving from the Sixteenth Pennsylvania valuable assistance which "cemented a lasting friendship between the two regiments." On October 3 the First regiment made a distant and important reconnoissance and obtained valuable information. In March, 1864, 300 of the regiment took part in the unfortunate Kilpatrick-Dahlgren raid on Richmond. A few Maine men were with Dahlgren at the time of his death and were captured by the enemy.

The regiment was engaged in many hard fights during the last year of the war, and in the first of these, that of Ground Squirrel Bridge, it was for the only time in its history completely broken up. On June 24 the First Maine took the principal part in the battle of St. Mary's Church. It was obliged to retreat before superior numbers, losing more in killed and mortally wounded than in any battle save one, but the wagon train of the army had been saved and the chief credit belonged to the First Maine. Fox says that it "made a desperate fight against great odds, losing 10 officers and 56 men, killed, wounded and missing—out of 260 who were engaged." Colonel Smith and Major Cilley were both wounded in this battle.

A portion of the regiment took part in Kautz's raid, and the whole in Wilson's. On September 24, eight companies of the First District of Columbia cavalry, which had been raised in Maine, were incorporated with the regiment. On October 27 the regiment did most valuable service at the Boydton Plank road and suffered heavy loss. Its services in the final campaign have been mentioned in another chapter. On August 1, 1865, the regiment was mustered out.

Second Maine Cavalry.—The Second Maine Cavalry was raised in the latter part of 1863, and in the spring of 1864 was sent to Louisiana. A portion of the regiment took part in the Red River expedition. In August the Second was transferred to Florida. There it made various daring and successful raids. During the siege of the Mobile forts the regiment did valuable service in protecting the rear of the army. In the movement on Montgomery the Second Maine led the advance and was the first to occupy the city. The regiment was mustered out in December, 1865.

*First Maine Heavy Artillery.**—The First Maine Heavy Artillery, originally the Eighteenth Maine Infantry, was recruited from Penobscot, Hancock, Piscataquis and Washington counties. It was mustered in on August 21, 1862, and immediately sent to Washington where it did garrison duty. In the following winter it was changed to a heavy artillery regiment, and orders were issued that it should be increased to the normal size, that is, to 12 companies of 150 men each. The new men came from all parts of the State. In the spring of 1864, by the desire of General Grant, several regiments of heavy artillery were sent to him to serve as infantry, and among them was the First Maine. Its defense of the wagon train and its charge at Petersburg have been described on another page. Many prophesied that the regiment would be so shaken by its losses that it would hereafter be useless for serious fighting. Such is often the case with regiments that have been cut to pieces, especially when nothing has been or could be gained by the sacrifice, but the First Maine was made of sterner stuff and did good service until the close of the war.

Batteries.—Maine furnished seven batteries of field artillery. The first six theoretically formed a regiment, but they never served together. The First Battery was sent to Louisiana. It took part in the siege of Port Hudson, losing one man killed and twelve wounded. Shortly after the surrender of the city it was engaged in a battle at Donaldsonville, where it lost one man killed and fourteen wounded, and had one of its guns captured by the enemy. In 1864 the men in active service and some in hospital re-enlisted for three years. In April they were sent to Washington and helped repel Early's raid. The battery was then sent to the Shenandoah Valley, and took an active part in Sheridan's campaign. At Cedar Creek it lost 49 horses killed in harness. In the whole war there were but two Union batteries that could show a greater loss in a single battle. The loss in men was also considerable, amounting to 28 killed, wounded and missing.

The Second Battery served entirely in Virginia, and took an honorable part in many engagements, especially distinguishing itself at Cedar Mountain, Fredericksburg and Gettysburg.

The Third Battery soon after its arrival at Washington was turned into pontooniers, it was afterward engaged in erecting a fortification, and was assigned to the First Maine Heavy Artillery. On February 23, 1864, it was reorganized as a light battery. Seventy-two of the original members had re-enlisted. Early in July it was ordered to Petersburg and took part in the siege, but was so fortunate as to have only two men wounded and none killed.

The Fourth Battery rendered valuable service at Cedar Mountain, and participated in the Wilderness and later battles.

The Fifth Battery has a most distinguished record. Fox gives a list of heavy losses by batteries, in single engagements. Eight batteries appear twice in this list, but only one three times,—the Fifth Maine. It lost 28

men at Chancellorsville and at Cedar Creek respectively, and 23 at Gettysburg. The battery was also engaged at the second Bull Run, Cedar Creek and Winchester. At Bull Run at the time of the charge by the rebels to turn the left of our army, the battery was thrown across the lines to oppose them. On account of their infantry supports deserting, four of their guns were captured; but they saved their first piece and their line of caissons.

The Sixth Battery fought its first battle at Cedar Mountain and saved Augur's division from capture or destruction. It was engaged at Rappahannock Station, Sulphur Springs, Blackburn's Ford and the Second Bull Run. In the last battle it lost two guns.* On the second day at Gettysburg the Sixth gave valuable aid in the repulse of the final attack, and "was highly complimented" by Generals Tyler and Hunt, respectively chiefs of the reserve and army artillery, for its gallantry on this occasion. The battery also assisted in the repulse of Pickett's charge. It was engaged in various battles in the overland and Petersburg campaigns, and rendered specially valuable service at the Wilderness.

During the latter part of 1863 a Seventh Battery was raised and sent to the Army of the Potomac, where it rendered honorable and efficient service.

*One of the guns had been disabled a week before.

Chapter XIX

THE RECONSTRUCTION PERIOD

I. President Johnson's Administration

CHAPTER XIX

THE RECONSTRUCTION PERIOD—I. PRESIDENT JOHNSON'S ADMINISTRATION

With the collapse of the Confederacy questions of the rehabilitation of the seceded States and of the position of the freedmen became of paramount importance. In July, Governor Cony wrote an open letter favoring negro suffrage. He is said to have been the first Governor to take this stand. The Union State convention expressed its confidence in President Johnson but declared that if the character of the people of any State was such that it was unsafe for them to have a free republican government, the State should be kept under a provisional government "till its inhabitants shall furnish satisfactory evidence of their loyalty and attachment to free State constitutions and sincere disposition to secure to all loyal men in their State equal political rights." The convention said that in reorganizing a State it was a right and a duty to require the ratification of the constitutional amendment abolishing slavery, and the removal of all disabilities on account of color. The convention also called very sternly for the punishment of traitors, heartily endorsed the sentiment of President Johnson "that the American people should learn that treason is a crime that must be punished" and declared that "until Jefferson Davis and other rebel chiefs are tried and punished little will be accomplished by trying and punishing men who have been only their instruments."[1] The convention pronounced in favor of a constitutional amendment giving equal suffrage; that is, barring no negroes from voting on account of illiteracy or poverty unless the whites were subject to like disabilities, and equal representation in Congress.[2] The latter demand was meant to prevent the South from being allowed increased membership in the National House because of negro inhabitants whom she excluded from the suffrage. The convention renominated Governor Cony, substantially without opposition.

The Democratic convention renominated Judge Howard. The *Whig* said that the members made "a considerable noise in their speeches and resolutions about high taxation, renegade Democrats and our 'tyrannical government.' These appear to be the main planks of their political platform except that they go against the 'nigger' in whatever shape he may appear." A plank which was sure to please the farmers and which might prove very embarrassing to the Republicans, denounced the exemption from taxation of government bonds. The *Whig* answered:

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[1]Probably a reference to Wirz, the commandant at Andersonville, who was kept a prisoner and a few months later executed for treason and murder.

[2]*Whig*, Aug. 11, 12, 1865.

"One complaint which the leaders seize upon with the avidity of true demagogues, is the non taxation of government bonds. This, they allege to be unequal in its operation, and with truth. But do they wish the solemn faith of the government to be violated in this matter? A faith pledged at a time when the war was raging with a doubtful aspect and when it was known that such an exemption, if not absolutely necessary to the procurement of pecuniary means for the salvation of the country, was at any rate the *cheapest* way in which the loan could be raised. Would it *now* be better for the people if these had been forced off at 80 or 90 per cent. instead of producing as they did the entire 100 per cent. minus taxation for three or five years? As to the future, of course no more loans, if any are necessary, will be exempted by Congress, although it is stated that the Supreme Court decided years ago that government loans could not be taxed by the States as otherwise discontented or rebellious States might destroy the whole loan by taxation. The question cannot be made a political issue."[3]

There appears to have been little interest in the campaign, the total vote falling from 111,986 the year before to 86,073, the Republicans losing 11,180 and the Democrats 14,794. The official figures stood, Cony 54,430, Howard 31,609, scattering 34.

Mr. Johnson's accession to the Presidency had been greeted with joy by the radicals who thought that they could rely upon him for a policy of "thorough," but they soon found themselves woefully deceived. Andrew Johnson was a strong Union man, but he had been a Democrat and he still had a high regard for the rights of the States. His opposition to slavery had been based less on sympathy for the negro than on a realization of its tendency to build up and maintain an aristocracy in the South. The President was opinionated and obstinate and when he found his plan of reconstruction opposed by many of the Republicans he clung to it the more firmly. In February, 1866, Congress passed a bill extending the powers of the Freedmen's Bureau, and the President vetoed it. About a week later, on Washington's birthday, he made a speech to a mass meeting which had come to congratulate him. The veto message had been "a dignified paper calculated to win support in the country as well as in Congress."[4] The speech was conceited and abusive and sadly suggested his address to the Senate on taking the oath as Vice-President. The country was deeply shocked. In March a bill to secure civil rights to the freedmen was passed. Most of the leading Republicans had shown a very conciliatory spirit and Mr. Johnson had given them reason to believe that he would approve the bill, but again he overrode the will of Congress by sending in a veto. The breach was now practically complete. Nearly all the old Republicans turned from the President. In Maine, the Portland *Press*, the Kennebec *Journal* and the Bangor *Whig* condemned his conduct. The Republican, or as it was officially called the Union State convention, declared "That the Union party of Maine plants itself upon the doctrines of the Declaration of Inde-

[3] *Whig*, Aug. 7, 1865.
[4] Rhodes, V, 575-578.

pendence; that we hold that all men without distinction of color or race, are entitled to equal civil or political rights." It endorsed the Fourteenth Amendment which had just been submitted by Congress and praised and thanked the Union Republican majority in Congress.

There was a sharp contest for the nomination for Governor, the two candidates being General Chamberlain, then a professor at Bowdoin College, and Samuel E. Spring, a wealthy merchant of Portland.

There had been considerable doubt as to whether General Chamberlain supported the President or Congress and the Bangor *Whig* had remained neutral until the general published a letter which though moderate in tone was regarded as aligning himself with Congress. The *Whig* then announced its support of Chamberlain. The Spring papers made the most of the uncertainty of the general's position. The Portland *Press* asked, "Would it be prudent, in view of our dear bought experience, to take a man for Governor of the State, who is not known even to have voted or acted with our party,[5] (a reference to the unhappy results of the nomination of Johnson), and who has never had a day's experience in political affairs? Let us not be deluded by briliant military services, into the folly of placing the vital political issues of the day in the hands of untried and uncertain men."

When the convention met, the question arose as to the admission of delegates who were not residents of the towns that had chosen them. It was decided that such men might take their seats if they were residents of the counties in which the towns were situated, a compromise which, it was claimed, was very disadvantageous to Mr. Spring. But one ballot was taken. Chamberlain received 599 votes, Spring 438, and there were 3 scattering. The platform declared for equal civil and political rights for all men, favored the ratification of the Fourteenth Amendment and highly praised the Union Republican majority in Congress.

There was no contest for the Democratic nomination which was given by general consent to Eben F. Pillsbury of Augusta. Mr. Pillsbury was editor of a paper called the *Standard* and represented the extreme wing of the party. He had been a virulent opponent of the war and was accused of having instigated the resistance to the draft at Kingfield.

At the election Chamberlain won an easy victory, polling 69,637 votes to Pillsbury's 41,917; there were 308 scattering.

In February, 1867, the Fourteenth Amendment was submitted to the Legislature for ratification. On February 11 the House passed it under a suspension of the rules by a vote of 126 to 12. There appears to have been little debate, but the *Whig* states that "Mr. Frye of Lewiston made a lengthy speech" in its favor. The Senate spent nearly the whole of January 17 talking about the amendment, though no one opposed it. Many of the speakers explained that though they should vote for it they considered it only an instalment of what justice demanded. The Senate then ratified the amendment unanimously.

[5]It was later announced that Chamberlain voted for Hamlin in 1856.

The Legislature of 1867 was obliged to decide another important and much more embarrassing question, Should the prohibitory law be amended? Two changes were sought. One was that in all cases the sale of liquor should be punished by imprisonment. Hitherto the judge had been allowed to merely impose a fine for the first offense. The other was the creation of a State constabulary. Both laws were passed, but against the considerate judgment of the Legislature. A temperance convention was in session at Augusta, it got up petitions and "a sentiment was made to pervade the capital which did not exist among the people."[6] The law making imprisonment the sole penalty was referred to the people who at a special election in June ratified it. The vote was, as is usual in such cases, very light, there being 19,358 yeas and 5,536 nays.

The Republican State convention said not a word on the matter but devoted itself to national issues. Its attitude on questions of reconstruction closely resembled that of the year before, but it added an endorsement of General Sheridan and other commanders of military districts in the South. On the financial question it declared "That our national indebtedness should be funded as speedily as the necessities of the government will allow, and at the lowest practicable rate of interest, always maintaining inviolate all pledges of the national faith; that the law in relation to taxing U. S. bonds and the stock in national banks should be adjusted by Congress on constitutional principles of equity, and that whatever municipal taxation is imposed on stock in national banks should go to the advantage of the cities and towns in which said bank stock is owned."[7] The two latter planks were loudly championed by Ephraim K. Smart, who was once more taking an active part in Democratic politics.

The Democratic convention renominated Mr. Pillsbury, condemned the reconstruction measures and advocated the taxation of government bonds, and a *judicious* restriction of liquor-selling.

The constabulary law proved a powerful weapon in the hands of the Democrats. The *Whig* warned the Republicans that they must be active, that the Democrats would take advantage of the liquor law, and at the close of August endeavored to fix attention on national issues by declaring that "the Republicans must not allow the traitor Johnson to draw courage from the election."

When the ballots were counted it was found that the warnings had been needed. Chamberlain was elected, but the Democratic vote had increased 4,000 over that of the preceding year, while the Republican had fallen off 12,000. The official figures gave Chamberlain 57,332 and Pillsbury 45,590. The day after the election the *Whig* pointed out that the majority of the previous year "had been abnormally large, nearly 10,000 larger than the real Republican majority in the State upon a contested election." It assured

[6] Letter of S. L. Milliken in *Whig* of September 23, 1867.
[7] *Whig*, June 28, 1867.

friends abroad that Maine was still sound in the faith and would give 20,000 majority against Johnsonism and Democracy. "The result was not by any means a defeat although if it had not been for the fear of encouraging President Johnson into an open attack upon Congress the majority would have been very small, as many more Republicans would have refrained from voting. There is no disguising the facts that the amendments to the liquor law adopted last winter are exceedingly unpopular with a large majority of Republicans—and if the issue were simply upon them the vote would be strongly for restoring the law to where it was."[8] The Kennebec *Journal* took a similar view. A letter from Aroostook from a Republican who then hoped that the county had given a small majority in favor of his party, said: "We cannot hope to carry Aroostook again with the State Constabulary law unrepealed. If there had been a single prosecution in Aroostook we should have lost it this year."

In the fall a delegate temperance convention was held. It resolved that "the amendment of the act of 1858, ratified by the people of this State and having all the moral force of a constitutional provision, has made the prohibitory law efficient beyond our expectations, and cannot be essentially modified or repealed without disturbing the basis of all our prohibitory legisation; that while we do not claim that the Constabulary Act of 1867 is perfect in all its parts, we are thus far more than satisfied with the experiment of that law, and are prepared to stand by the principles on which it rests."

The usual mass temperance convention was held in Augusta shortly after the meeting of the Legislature and, according to custom, the Governor was asked to preside. General Chamberlain had done so the preceding year but he now declined. He said in a brief letter: "I have to acknowledge the honor of your invitation to preside over the friends of temperance now assembled in this city. Upon the high and broad grounds which underlie this great cause, I could meet you most cordially but as I understand the call under which you now meet is to be not so much for the consideration of the subject of temperance generally as to affect particular legislation now pending, upon which my official action may be required, it appears to me that the proprieties of the case do not leave me free to participate as I might otherwise in your proceedings." On the receipt of this letter, which gave great offence to the radical temperance men, N. T. Hichborn was elected president of the convention.

The general opinion seemed to be in favor of firmly adhering to the legislation of the preceding year. Woodbury Davis said: "We shall hold the temperance cause superior to all others, State or National, and we ask that the laws shall stand as they are. Let the question be considered as settled at the polls, but if politicians see fit to thrust it into politics they must take the consequences."[9]

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[8] *Whig*, Sept. 10, 1865.
[9] *Whig*, Jan. 17, 1868.

But the terrible falling off in the vote for Chamberlain was an argument with the politicians more potent than any fear of a prohibitory secession, and the Legislature absolutely repealed the constabulary law and allowed freedom of sale of unadulterated cider and "the sale of domestic wines manufactured from fruits, the product of this State, for medicinal and sacramental purposes." The requirement of a jail sentence for a first offence against the prohibitory law was also repealed and the imposition of such a sentence was left to the discretion of the judge, but the amount of the minimum fines for certain violations of the liquor laws were raised to $30 and $50 respectively.

The year 1868 is marked by the only impeachment of a President in the history of the country. Mr. Johnson's continual struggle with Congress and his alliance with the Democrats and the ex-rebels had worn out the patience of the Republicans and all were anxious to get rid of him. In Maine the feeling was much the same as in the rest of the country. The Bangor *Whig* and the Portland *Press* had moved slowly in the matter but both papers were now in favor of impeachment. Congress had passed a law, the so-called Tenure-of-Office act, requiring the consent of the Senate to the removal of officers to whose appointment their consent was necessary. The act, however, allowed the President to suspend an officer if the Senate were not in session, the suspension to continue until the Senate acted, or until the expiration of the next session. But the President had hitherto enjoyed an unfettered power of removal and there was grave doubt of the constitutionality of the law.

Mr. Stanton, the Secretary of War, and the President were in complete disagreement on political subjects and their personal relations were also unpleasant. In August, 1867, Mr. Johnson suspended Stanton and appointed General Grant Secretary of War *ad interim*. The Senate refused to concur in the suspension and Grant promptly surrendered the office. Johnson claimed that the General had promised to retain his position, or to resign in time to allow the President to nominate another secretary *ad interim*. This Grant denied and an unpleasant controversy arose. The newspapers took sides, the Republicans attacked the President, the Democrats the general. The Portland *Press* called Mr. Johnson's letter the "Art and Mystery of Ingenious Lying illustrated by the President of the United States." The *Argus* said: "Grant stands convicted by overwhelming testimony of deliberate duplicity and treachery."

The President now removed Stanton and directed Adjutant-General Lorenzo Thomas to act as Secretary of War, but Stanton refused to vacate his office. The House of Representatives promptly impeached the President and he was tried by the Senate as the Constitution provides. A two-thirds majority is necessary to convict and as the trial progressed it became evident that this might not be obtained. All the Democrats were sure for acquittal, should seven Republicans join them the President would escape. Many Republican Senators, much as they disapproved Johnson's course, believed

that he had not committed any of the legal offences charged and that as honest men sitting as judges rather than legislators they must vote not guilty. Seven Senators were known to hold this view or at least to incline strongly to it, and tremendous pressure was brought to induce them to go with their party. One of the seven was William Pitt Fessenden. The Republicans of Maine were ardent for conviction. General Fessenden says in his life of his father:

"For several days prior to the taking of the vote, Senator Fessenden's letters assumed a very threatening tone. The letters from Maine were particularly savage. He was told that if he voted against conviction, he might as well leave Maine; that a Republican Senator who voted for acquittal could never look his constituents in the face. One well-known man in Maine wrote him that he never believed he could betray his party, and begged him not to crush the people of Maine with shame and misery. Another: 'He would not dim his glorious record by voting against conviction.' Another: 'Is it possible that you have turned traitor and that your name will be handed down with that of Benedict Arnold?' He was begged not to sell his integrity, not to give the devil the first chance, but to give it to his country. One writer asked him to name his price and thus save his name from dishonor worse than Booth's. A meeting of workingmen in Philadelphia declared that his course would blacken his memory for all time."

These are but samples of the notes and letters—and most all from people who in the past had been his friends and political helpers—which were sent him. More mass meetings were now held in Washington, in the principal cities of Maine,—in Lewiston, Bangor,[10] Gardiner, Bath, and in Portland, Senator Fessenden's own city,—all resolving that the President was guilty, and that the clear duty of Senator Fessenden was to so vote."

Mr. Fessenden, however, stood firm. General Neal Dow, an old friend and supporter of the Senator, had written expressing the hope of loyal men that the President would be removed from office and rendered legally incapable of holding office in future. Mr. Fessenden replied:

"I wish you, my dear sir, and all others, my friends and constituents, to understand that I, and not they, am sitting in judgment upon the President. I, not they, have solemnly sworn to do impartial justice. I, not they, am responsible to God and man for my action and its consequences. The opinions and wishes of my party friends ought not to have a feather's weight with me in coming to a conclusion. You, as a friend, should advise me to do my duty fearlessly, regardless of the opinions and wishes of men, and of all consequences to myself, and you should add to that advice your prayers that no outside clamor, either of the press or of individuals, no prejudice or passion, no hope of benefit, or fear of injury to myself, no just indignation against the individual on trial, no considerations of party, no

[10]Mr. Fessenden said in a letter to Rufus Dwinell, of Bangor: "These public meetings to pass resolutions upon such a matter were got up in obedience to directions from Washington and were all wrong. But the resolution passed at Bangor was respectful and kind, and a meeting which under such excitement and misinterpretation treated me with so much consideration, is entitled to my thanks."

regard for those I am most anxious to please, should induce me to swerve from the straight line of impartial justice according to the Constitution and the laws."

Rufus Dwinell, of Bangor, wrote him: "If for nothing else, to satisfy those who elected you, you are bound to vote for conviction." The Senator answered: "Mr. Dwinell, if I followed your advice I could not look an honest man in the face. I should feel a degree of self-contempt which would hurry me to my grave. The people of Maine, yourself among others, must do as they see fit. If they wish for a Senator a man who will commit perjury at their bidding, either from party necessity or a love of popular favor, I am not that man. He who may be selected to succeed me on such grounds, and be willing to take the office, would, of course, sell his constituents as readily as he sold his honor and his conscience. I should pity not only him, but the people who selected him."[11] When the test came, Mr. Fessenden and six other Republican Senators voted not guilty, and the President was saved.[12]

There was great excitement in Maine, and bitter attacks were made on Mr. Fessenden. The *Whig*, however, wisely advised that the party should not let itself be divided by assaults on individuals or by matters of minor importance, and it pointed out that Johnson could do no serious mischief. It said: "If we shall not be quite free from our incumbrance in the White House, yet he will be but a caged lion, with his teeth drawn and his claws muffled, and his only power to annoy that of roaring."

The failure of impeachment was the less important as the people were to have the opportunity to choose a successor to Mr. Johnson the same year. The Republican convention excited comparatively little interest. It was understood that General Grant would be the candidate and the convention nominated him unanimously. For a nomination for Vice-President five ballots were necessary. On the last Schuyler Colfax of Indiana was chosen. Among those voted for was Hannibal Hamlin, who received 28, 30, 25 and 25 votes on the first, second, third and fourth ballots, respectively. His position was that of a compromise candidate held in reserve rather than of a formal aspirant for the place. After the nominations the Bangor *Whig* said:

"The Maine Republicans enthusiastically admire and love Mr. Hamlin, and would have been pleased and proud if the Convention had placed him on the ticket, where he should have been placed in 1864, instead of the recreant Johnson, although Johnson was then taken only from a mistaken idea of strengthening the Union cause in the South. But the Maine Republicans have no feeling of resentment (as the New York *World* hopes they may have) because he was not nominated by the recent convention. His

[11]Fessenden, "Fessenden," II, 207-210.

[12]Two other Senators would have voted for acquittal had their votes been absolutely necessary, and some of the seven might have voted guilty had they not received satisfactory assurances that the President would appoint General Schofield to succeed Mr. Stanton, who, it was understood, would resign were the President acquitted.

name was first brought forward in the canvass by the papers and politicians of other States—not by those of Maine—and the Maine delegates were induced to hold on for him, by the representation and belief that he would be the second choice of a majority of the convention and that for some reasons his name would help the ticket more than that of Mr. Wilson, the other New England candidate. There is no feeling of resentment at the failure to nominate him. Mr. Hamlin himself did not seek the nomination—did not desire it so far as we know. He never would authorize us to bring his name forward in any way, and we have always supposed he was averse to having it used, but would coincide in whatever was decided to be for the best interests of the party."[11]

The platform congratulated the country on "the assured success of the reconstruction policy of Congress," favored equal suffrage in the South and denounced repudiation in all its forms.

The Democratic convention nominated ex-Governor Seymour of New York and Frank P. Blair of Missouri for President and Vice-President. They denounced the whole Congressional policy of reconstruction and favored the payment of the United States bonds in greenbacks unless the bonds themselves or the law under which they were issued provided otherwise.

In Maine both conventions nominated their former candidates. The Democratic convention condemned the reconstruction laws and the manner in which they had been executed. They demanded that coupons on national bonds should be taxed at a rate which would "subject the capital so invested to its fair average share of public burdens, as compared with other descriptions of property, and that the proceeds of such taxation should be distributed among all the States on just and equitable principles." They called for the payment of the bonds in "currency," that is, greenbacks, demanded that the national banks should cease to issue currency and resolved "That the men who fought for the Union are entitled to the same currency as the men who loaned the money, and that the bayonet holder, laborer, farmer, and bondholder should be paid alike."

The Republican convention resolved:

"That the proposition made by the recent Democratic Convention of this State to admit the rebels in the South to a share in the tax on government bonds is a fraud and outrage on the loyal people of the North. Under the delusive promise of lightening taxation at home, the resolution proposes to rob the people of Maine by assessing a tax on the deposits of savings banks, on the treasuries of our insurance companies, and on the hard earnings of the humblest laborer invested in government bonds, and to divide the amount so raised among all the States, thus giving to the rebels of Texas more than two dollars where the loyal men of Maine would get one. We denounce the proposition as an attempt to enrich the rebels at the expense of loyal men and to subject our national debt to the base use of lighting anew the smouldering embers of Southern rebellion."

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[11] *Whig*, June 4, 1868.

The convention also declared that the national Democratic convention might well be regarded as an organized attempt to carry out the purposes of the rebellion, that its membership was largely made up of open rebels and their secret allies, and that "its first aim in its new revolt is to destroy the government credit, and then overturn by revolutionary violence the constitutional government of the Southern States. Its ill-concealed movements against the first, and its openly avowed purpose to accomplish the second, should at once alarm and arouse all good citizens who desire the peace, prosperity and continued union of the States."[14]

Both parties brought leading out-of-the-State men to champion their cause. The Republicans had William D. Kelley of Pennsylvania, Henry Wilson of Massachusetts, and Generals Sickles, Hawley and Bingham. The latter spoke for two hours and a half at Bangor. The hall was hot and it was eleven o'clock when he ended, but he held his audience, and the *Whig* declared that "it was the most able, eloquent and telling speech that the citizens of Bangor have ever been favored with." The Democrats brought Mr. Pendleton of Ohio, one of the ablest men in the party and the great champion of paying the bonds in greenbacks.

In September the Republicans won a great triumph. The vote was about 20,000 larger than any that had ever been cast at a gubernatorial election in Maine. Chamberlain had a majority over Pillsbury of nearly 20,000. The New York *Nation* remarked that it supposed that the Maine election made Pennsylvania safe and the election in November a mere formality. Its prophecy proved true, Grant receiving 214 electoral votes and Seymour 80.

At the meeting of the Legislature in 1869 there was brought to a decision one of the longest, most widespread and bitter contests for a senatorship in the history of the State. Mr. Morrill's term would expire on March 4, 1869, and Hannibal Hamlin had been planning for years to obtain the vacant seat. Shortly after he ceased to be Vice-President, President Johnson had appointed him Collector of Customs at Boston, a place then worth from $20,000 to $30,000 a year. But Hamlin could not follow Johnson in his policy and in October, 1866, resigned his office. He then devoted much of his time to furthering a plan of developing northern Maine by building a railroad from Bangor to Dover with the purpose of ultimately reaching Moosehead lake. But he was even more concerned in constructing a road for himself to the United States Senate. It was a difficult and delicate operation. Mr. Morrill was in possession, had the advantage of dispensing much official patronage and, as Mr. Hamlin's grandson admits, was "an able and popular senator." Mr. Hamlin found it advisable to work very quietly and for a long time only a few of his intimate friends knew certainly of his intentions. As the election approached, however, an open declaration became necessary, and the whole

[14] *Whig*, July 10, 1869.

party was stirred and divided. Mr. Hamlin's grandson says: "The moral effect of the reverses that Mr. Hamlin had suffered was undoubtedly a cloud over his prospects at the start, and there were many who were affected by it and opposed to him on that account. But the practical obstacles were even more discouraging. Mr. Morrill was in power and had the support of every Federal office-holder in the State but three, and the help of Mr. Fessenden, Mr. Hale, Mr. Pike, and Mr. Lynch of the Congressional delegation. Mr. Hamlin had but one influential office-holder on his side, ex-Governor Washburn, who was collector of Portland, and but one member of the Congressional delegation in his behalf, John A. Peters, Mr. Blaine being neutral.

Mr. Morrill not only had the power in his hands, but he also had able lieutenants in John L. Stevens, and his brother, Anson P. Morrill. Among other assistants who afterwards came to the front was Thomas B. Reed. Mr. Hamlin had to wage his campaign through the common people and a group of personal friends, some of whom belonged to the old anti-slavery guard of ante-bellum days. He was especially fortunate, it should be said, before the narrative proceeds further, in his lieutenants,—Sebastian S. Marble, of Waldoboro, and Charles J. Talbot, of Wilton.[15] Mr. Marble was recognized at this time as a political manager of pronounced ability. He was silent, cool, persistent, tenacious in his friendships, and had a wonderful knowledge of human nature. Mr. Talbot was an early anti-slavery leader, whose friendship and advice were constant factors in Mr. Hamlin's political career. After the campaign, in the opinion of competent observers Mr. Marble was ranked as the best politician in the contest next to Mr. Hamlin. He was subsequently still more active in Maine politics as United States Marshal, and also as successor to Governor Bodwell, after the latter's death, when he gave the State a clean, able administration. Hiram Knowlton, a prominent lawyer of Skowhegan, was another valuable assistant. Josiah H. Drummond again exerted himself in Mr. Hamlin's behalf and played an important part at two crises. A new figure of interest was Joseph H. Manley, who came to the front in this fight among the skillful tacticians of the day. Leander Valentine, General Samuel F. Hersey, Mark F. Wentworth, Hiram Ruggles, and others of Mr. Hamlin's personal friends were also of service to him.

"By one of those peculiar turns political contests sometimes take, Mr. Morrill lost ground on account of Mr. Fessenden's support, after the latter had voted to acquit President Johnson. On the other hand, it was represented by newspapers of national and State influence that Mr. Hamlin's return to the Senate would be a more decided rebuke to Johnson than Mr. Morrill's re-election, since the former had virtually organized the impeachment movement, or was at least conspicuously engaged in shaping it at the outset. The feeling in this respect may be judged by the following com-

[15] Samuel E. Spring, of Portland, and D. W. Ames, of Norridgewock, were other valuable supporters.

ment in the Chicago *Journal*. Speaking of Mr. Hamlin's candidacy for the Senate, it said:

"'When the Republican party exchanged him for Andrew Johnson, it committed the great blunder of its life. . . . Ordinarily the senatorial question is local, and papers in other, especially in distant States, should not interfere; but the whole country feels a peculiar interest in Hannibal Hamlin, and especially desires his return to the public service. Let Andrew Johnson be buried deep in the black waves of oblivion, living only on the rolls of the nation's dishonor, while Hannibal Hamlin is again ordered to the front. His election would be hailed with joy by the entire Republican party.'"

The argument from locality played a considerable part. The Bangor *Whig* urged it with great bitterness. In the issue of December 30, 1868, it said that Mr. Hamlin was in no respect inferior to Mr. Morrill and that when personal qualifications were equal, geographical considerations should decide. All sections should be treated justly. "A central locality may by a wily policy succeed for a time in playing off the communities on either side of it against each other; thereby securing to itself for a season a monoply of power and office, but the end will ever be dissatisfaction, heart-burning, jealousies, and finally those divisions which lead to its destruction." The *Whig* said that Maine had been a State for about forty-nine years, that the country east of the Kennebec had had a Senator for nineteen years, but the country west for seventy-nine years,[1] and that Kennebec county alone had had the honor for forty-one years.

"The east," said the *Whig*, "certainly has been generous, even magnanimous in the past. She has not admitted her inferiority of right or that she had not citizens as able and patriotic as the center and the west. She has yielded to the demands of other sections, and when defeated in her hopes, she has bowed gracefully to the decision which she has nevertheless felt has done her grievous wrong. For the sake of harmony, she has submitted to the results which superior tactics and management, and not political strength, have produced. Is she to be punished for this generosity, for this noble, self-sacrificing and patriotic conduct? And if so, for how long? Can she only be respected and recognized when Kennebec wishes for her own purposes to make a compact with her against the west?"

The friends of Senator Morrill urged that his vote in favor of impeachment deserved recognition; the *Whig* replied that he only did his simple duty and that the act would have attracted no attention but for the dereliction of Mr. Fessenden and that Mr. Hamlin had patriotically resigned the Boston custom-house rather than support Johnson.

The only Congressman who supported Hamlin was his townsman, John A. Peters. James G. Blaine professed neutrality, but according to some recollections published in the Boston *Herald* of November 9, 1900, he came to Augusta and quietly worked for Morrill. The other representatives

[1] It should be remembered, however, that the West was settled earlier than the East.

supported Morrill publicly. Most of the United States officers worked for the Senator in possession, but ex-Governor Washburn, who held the most lucrative and powerful office in the State, the collectorship at Portland, took the field for Hamlin. When the Hamlin men claimed that their candidate was struggling against official influence, the Morrill men replied that this was by no means certain if the amount of salaries was considered rather than the mere number of offices.

The fight was not only bitter but extremely close. "The strain on Mr. Hamlin must have been intense. Once, years afterwards, he told Governor Marble that sometimes he would dream the 1869 fight all over, and wake up in a cold shiver, recalling a train of minor incidents which in combination won him the victory and which, if fate had otherwise ruled, might have defeated him. One man who was elected to the House from Portland, pledged to Mr. Morrill, died before the Legislature convened. Although Portland was Mr. Fessenden's stronghold, Mr. Hamlin's friends, after a sharp fight under the leadership of Mr. Drummond, nominated the latter to fill the vacancy. Had there been no vacancy to fill, or had Mr. Drummond been beaten, the vote between Mr. Hamlin and Mr. Morrill would have been a tie, and probably the latter would have won. It happened that in a town not far from Bangor a man was nominated, and pledged for Mr. Hamlin, who at heart favored Mr. Morrill, and would have supported him on another ballot. Figuring for a year or so for success on the narrow margin of one or two votes was not conducive to pleasant dreams." . . . "Several men held the balance of power and until the last moment it was impossible to tell how they would vote; in fact, no one ever learned how two men did vote. At this stage of the contest, when the members of the Legislature were about to enter the caucus, there were four men who gave both sides a veritable nightmare."

One of these men offered himself for sale and failing to get from Mr. Hamlin a pledge of a definite, and handsome reward[17] for his vote, turned to the Morrill men, received a promise from one of them and cast his ballot for the Augusta candidate. Another man who was tempted to vote for Morrill against the wishes of his constituents because he believed that Morrill would be successful, was won over by prayer. Hiram Ruggles of Carmel, a devoted adherent of Mr. Hamlin, having tried argument in vain, induced the recalcitrant to occupy the same room with him at Augusta and prayed so earnestly that the deserter repented and remained faithful to Hamlin.

The nominating caucus left the result a little in doubt. One of the members, Mr. Perry of Mars Hill, had written to a person outside his district promising to support Morrill, but his constituents favored Hamlin and held meetings calling on him to vote in accordance with their wishes.

[17] Mr. Hamlin's reply was: "I never in my life promised a man an office for his vote, and I never will; but I will say that I shall be faithful to those who are faithful to me."

In much embarrassment he consulted Representative Peters, who in turn consulted Hamlin. That experienced politician and parliamentarian replied: "I want you to advise that man that he can throw a blank ballot." A paper in color, form and shape like that used by the supporters of Morrill was given to Mr. Perry. The object may have been to make the Morrill men think that he was about to vote for their candidate and so prevent their exerting pressure on him, or else to make sure that he actually did throw a blank. When the ballots were counted it was found that Hamlin had 75 votes, Morril 74, and that there was one blank. The Hamlin men claimed a victory, the Morrill men a tie and demanded another vote. There was much confusion and Mr. Hamlin was consulted. He answered firmly, "No, blanks don't count. I am nominated and shall stick."

Thomas B. Reed claimed that the blank should be counted as a vote. There were laws which could be urged as precedents on the other side, but he argued that the caucus was not governed by statute, that it was simply a means of obtaining the opinion of the members as to who should be supported for Senator and that because of the blank vote it was uncertain what that opinion was. He said, "If we stand by the *law,* let us stand by the whole of it," that the law required that votes should be on white paper and that the Hamlin men had used tinted paper. J. H. Drummond replied that the law made ballots of other color than white admissible if not challenged when deposited. A member of the committee said that he had noted and checked the blank ballot and after the votes were counted had asked Perry if he intended to cast a blank and that Perry had said no, that he meant to vote for Morrill. It was also said by a member of the committee that they knew that there was a blank and before counting the vote decided to throw it out. According to the *Argus* some Hamlin men were willing to take another ballot, but the leaders finally refused, saying that members of the caucus had left the hall, and the supporters of Hamlin carried a final adjournment.

The Morrill men were inclined to deny that a nomination had been made, and Morrill was sent for from Washington, but Perry came out with a card acknowledging that he meant to cast a blank and explaining as best he could his statement in the caucus that he intended to vote for Morrill. A Senator and four Representatives from Kennebec publicly announced that they believed that Hamlin was the party nominee and that they should support him. This put an end to plans for running Morrill as a third candidate and Mr. Hamlin was duly elected by the Legislature, receiving all of the Republican votes but two which were cast for Joshua L. Chamberlain and Lot M. Morrill. The Democrats supported A. P. Gould of Thomaston.[18]

[18]General References: Hamlin, "Hamlin," Chap. XXXVIII; Extracts from newspapers in Library of Maine Historical Society.

Chapter XX

THE RECONSTRUCTION PERIOD

II. Grant's Administration

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THE RECONSTRUCTION PERIOD—II. GRANT'S ADMINISTRATION

The election of Grant and Colfax caused sons of Maine by birth or adoption to obtain two of the highest offices in the nation. President Grant thought of his Cabinet as his personal staff rather than as representatives of great interests and sections. Mr. Elihu Washburne, then serving as Representative from Illinois, had shown himself an early, constant and most useful friend and the President appointed him Secretary of State. The *Whig* said: "General Grant's Cabinet once more illustrates his peculiar ideas and the independence of his action. Mr. Washburne has ever been an honest and efficient public servant, we have no doubt will successfully administer the duties of head of the Cabinet. As a working Cabinet the President could hardly have made a better selection." The New York *Tribune* said that Washburne had fought so vigorously against corruption in Congress that he could not be spared from a reforming Cabinet. Other comments were not so favorable and there was good ground for criticism. Horace White says of Washburne: "His personal relations with the general had been so close and his services so conspicuous that there was a general expectation that he would have a place in the Cabinet; but nobody supposed that it would be the Department of State, for which he was wholly unfitted. Although a man of ability, tenacity, and long experience in public affairs, he was impulsive, headstrong, combative, and unbalanced. The Department of State was regarded then as the premier position, where equipoise was the chief requisite, and this quality Washburne lacked."

Curiously enough, Grant never meant to give the office to Washburne permanently. He had designed to make him Minister to France and Washburne accepted but asked to be Secretary of State a short time to give him prestige as Minister. Grant appointed him Secretary with the understanding that he should do nothing, but the Secretary began to announce policies and appoint to offices. Grant acquiesced at first but finding Washburne's acts were making trouble, called for his resignation. The affair was hardly creditable either to Grant or Washburne and there was much force in Fessenden's sharp question, Who ever heard before of a man nominated Secretary of State merely as a compliment?

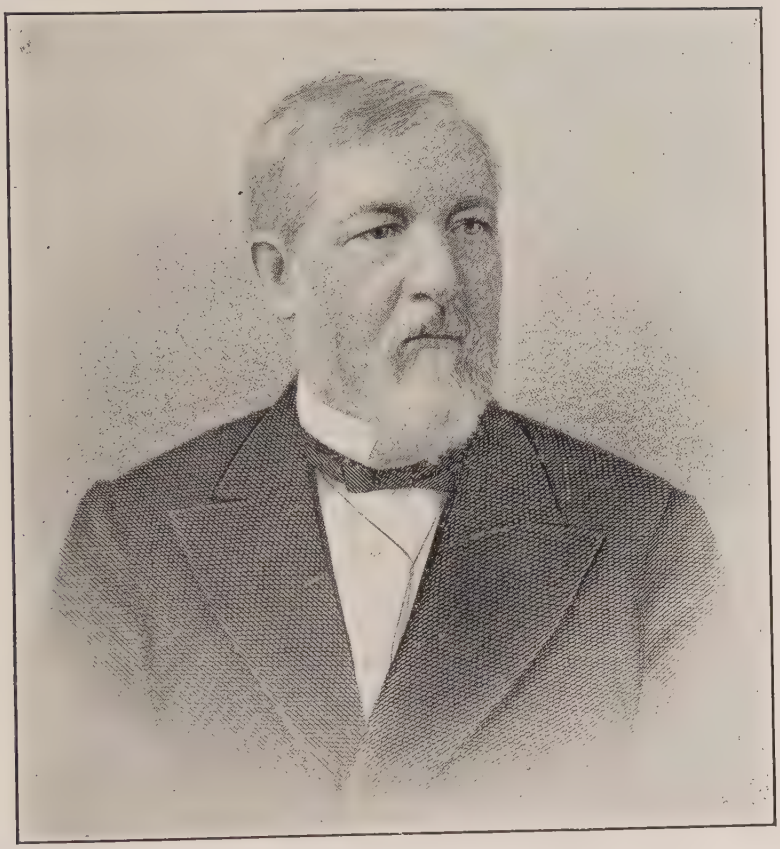
As Minister, however, he bore himself well in a trying time. Professor Fish says of Washburne: "He played a useful and distinguished part during the Franco-German war and the Commune." During the war he cared for German interests in France, remained in Paris during the siege and showed much firmness and energy in asserting American claims. He demanded, for example, the right of corresponding with the French govern-

ment at Bordeaux, which the Germans refused. They were willing at any time to let Mr. Washburne go to Bordeaux but they urged with some reason that if he chose to remain in a beleaguered place he must take the natural consequence of being shut up. A little after the war when the Communists, a kind of French Bolsheviki, held the city against the French national government, Mr. Washburne spent much time in Paris, being allowed to pass and repass, and he earnestly endeavored to mitigate the ferocity of the struggle. The French government shot some of its chief prisoners and the Communists retaliated by seizing leading citizens of Paris and holding them as hostages. Among them was the Archbishop of Paris. When the triumph of the government was assured the Communists shot the principal hostages. Mr. Washburne, whose position as Minister of the United States gave him some influence with the Communists, had made great though ineffectual efforts to prevent the slaughter and he received a special letter of thanks from the Pope because of his endeavor to save the life of the Archbishop.

The other Maine man whom the election of 1868 helped to high office was James G. Blaine. Vice-President Colfax had been Speaker of the House and when he left the chair Representative Blaine was chosen to fill the vacancy.

James G. Blaine was the most widely known, the best loved and the most hated man in Maine history. Unlike all other citizens of Maine who have attained great prominence in the political life of the State and nation Mr. Blaine was not a New Englander by either blood, birth or breeding. He was born and educated in Pennsylvania and was of Scotch-Irish descent, his great-great-grandfather, James Blaine, having emigrated from Londonderry in 1745. His father, Ephraim Blaine, was noted for his generous style of living and his fondness for investing in lands, traits which he seems to have transmitted to his son. His mother, Maria Louise Gillespie, a woman of much sweetness and nobility of character, was also of North Ireland stock, but a Roman Catholic. The marriage was performed by a Catholic priest but the children were all brought up in the Presbyterian faith. The only one of the family to attain distinction was the second son, James Gillespie. He was born at West Brownsville in Pennsylvania, January 31, 1830. As a small child he was by no means precocious. He did not learn to read until he was seven and, according to his later recollections, some thought that he was mentally deficient. When about ten he was sent to live for a while with his mother's cousin, Thomas Ewing. Mr. Ewing was a man of much ability and was later Secretary of the Treasury under Harrison and of the Interior under Taylor. Young James remained at the Ewings for nearly a year. General Sherman said that he and his cousin, Tom, were "as bright and handsome as ever were two thorough-bred colts in a blue-grass pasture in Kentucky."

Two years later James entered Washington College. He was only thirteen and it is not surprising to learn that he was the youngest member



J. G. Blaine

of his class.[1] He proved himself both a good companion and a good student, was liked by his fellows and was tied with two others for the headship of the class.

He had hoped to study for two years at Yale as a preparation for the bar but his father was unable to give him further financial assistance and like many another young man in his situation he determined to teach for a while to get the money to enable him to pursue his lifework. In January, 1848, he obtained a position on the faculty of the Western Military Institute at Georgetown, Kentucky, and remained there three years and a half, teaching Greek, Latin and Mathematics. The wife of the head of the Institute taught a female seminary in a town only twenty miles off and the two faculties saw much of each other. Among the Seminary assistants was Miss Harriet L. Stanwood of Augusta, Maine. Mr. Blaine and Miss Stanwood were attracted to each other at their first acquaintance and after a brief engagement on June 30, 1850, they were married. The marriage proved a remarkably happy one. Mr. Stanwood says in his life of Blaine: "Mrs. Blaine was a woman of brilliant mind and of keen wit, a fitting mate of her husband in mental quality. More than this, she was able to enter to the fullest extent into the subjects which interested him. Her literary tastes were in strict agreement with his. Together they read and enjoyed the works of the great writers of fiction, poetry and history. She not only sympathized with her husband in politics and shared and incited his ambitions, but she brought so good a judgment to the consideration of public questions that Mr. Blaine habitually talked over political questions with her, and frequently sought her advice."[2] Mr. Blaine was devoted to his wife and she regarded him with an admiration which should have satisfied the most exacting husband. During his illness in 1876 she wrote to their friend, Joseph H. Manley: "I dare to say that he is the best man I have ever known. Do not misunderstand me. I do not say that he is the best man that ever lived, but that of all the men whom I have thoroughly known he is the best." For those who opposed her wonderful husband she had scant tolerance and her feelings were expressed with a frankness and vehemence which, as Mr. Stanwood gently says, "caused some injury to her own popularity."[2]

In 1851 Mr. Blaine left Georgetown and went to Philadelphia, where he studied law for three years. For two of these years he also taught mathematics in the Pennsylvania Institute for the Blind and "left behind him a reputation which lasted many a year as one who contributed greatly to the social as well as the intellectual life of the institution."

But fate had determined that Mr. Blaine was to be neither a lawyer nor a teacher. He had frequently visited Augusta, his wife's home, and had become acquainted with the leading citizens of the place. The Kennebec *Journal* had retrograded since the withdrawal of Luther Severance

[1] His father, however, had entered the same "college" at eleven
[2] Letters of Mrs. James G. Blaine, I, 136.

from the management. Its friends decided that the brilliant young Pennsylvanian was the man to restore it, and in 1854 offeed him the editorship. He accepted and with the aid of his brothers-in-law, the Messrs. Stanwood, of Boston, purchased a half interest in the paper. In 1857 he sold his share and became editor of the Portland *Advertiser*, spending about five days a week in Portland, but remaining a citizen of Augusta. In 1860 the owners of the paper decided that the editor ought to be wholly identified with Portland, and Mr. Blaine resigned his position, disregarding an earnest remonstrance from William Pitt Fessenden, who wrote him: "This (Portland) is the point of strength for you in every aspect, political and pecuniary."

Shortly after becoming editor of the *Advertiser*, Mr. Blaine wrote to his mother that Portland was a very beautiful but an expensive city, and that he thought that he preferred the quiet and retirement of Augusta. His refusal to sever his connection with it in 1860 may have also been due to a belief that continued editorial work would interfere with the political life on which he had entered. Less than two years after coming to Maine he had been a delegate to the Republican national convention of 1856, where, although Fremont was the young men's candidate, he had joined Edward Kent and Anson P. Morrill in voting for McLean. In 1858 he was appointed one of a commission to investigate the affairs of the State prison and made a most able report. The same year he was elected to the Legislature and served four years, the last two as speaker. In 1860 he became chairman of the Republican State committee.[1] From that time until he was appointed Secretary of State, in 1881, "he continued to be chairman, and was at the head of affairs in his party as no other man in Maine ever was. During more than twenty years he was usually the prevailing force in the Republican State conventions. He dictated platforms; the candidates were, with some exceptions, those whom he favored. He conducted the annual canvass almost autocratically. To him were left, almost without the advice and consent of the rest of the committee, the collection of campaign funds, the character of the canvass, the selection of speakers, the times and places of rallies; and his plans were rarely or never modified or criticised. All reports were made to him, and he issued the orders, which his local lieutenants obeyed promptly and unquestioningly. During the greater part of the same period it fell to him to designate many of the Federal office holders in Maine and to find places in the departments at Washington and at foreign posts for many hundreds of his constituents."[2] Mr. Stanwood says: "The reader of the foregoing sentences may be pardoned if he

[1] It has been said that Mr. Blaine succeeded John L. Stevens as Kennebec member and chairman in 1859. But Mr. Stevens' immediate successor was Josiah H. Drummond, of Waterville, who resigned in 1860, because of his removal to Portland, which rendered it impossible for him to represent Kennebec.

[2] There is some evidence also that he obliged several governors by writing their inaugurals.

exclaims that they describe the functions and the methods of the political 'boss'." Mr. Stanwood argues, however, that Mr. Blaine was a political leader rather than a boss, since he did not use his power for profit or office, did not attempt to punish those who disagreed with him, and strove whole-heartedly for party success, working as hard for the election of candidates whose nomination he had opposed as he did for that of the men of his choice.

"His broad views, his swift glance were accompanied by such a patience of detail as counted nothing done for victory while anything remained to be done. This it was which invested his counsels with an unsurpassed vigor and vitality. When in other States expected victories turned themselves into defeats at the polls his surprised question was, 'Why did they not *know?*' Thorough organization was the secret of his political dictatorship."

It might have been supposed that he would make his way slowly because of prejudice against him as an outsider who was interfering in Maine politics. But such was not the case. Ex-Governor Kent said, "There was a sort of western dash about him that took with us down-easters; an expression of frankness, candor and confidence that gave him from the start a very strong and permanent hold on our people."[1]

In 1862 he was elected to the National House and retained his seat until he was transferred to the Senate, in 1876. His first term was distinguished by an encounter with the redoubtable Thaddeus Stevens over a bill to forbid discrimination between gold and greenbacks. The result was a mortifying defeat of the leader of the House by the new member from Maine.

Both in the State Legislature and in Congress Mr. Blaine was a vigorous supporter of President Lincoln. In 1864 Mr. Lincoln asked Vice-President Hamlin to pick out some bright, likely man to look after delegates in Maine and keep a weather eye open for squalls in New England. Mr. Hamlin recommended Blaine, whose position as chairman of the Republican State committee gave him special facilities for such work.

During the stormy times of Johnson's presidency Mr. Blaine played a prominent though not a leading part. A stalwart Republican, he yet showed a moderation which the fiery zealots or mere partisans who followed Sumner and Stevens would have done well to imitate.

Mr. Blaine's chief contribution to the reconstruction policy was the disfranchising clause of the Fourteenth Amendment. The emancipation of the slaves had greatly increased the number of representatives in Congress to which the South would be entitled, but as the Southern whites were firmly resolved not to allow the negroes to vote, it appeared that the "rebels" would be greatly benefited politically by the triumph of freedom. The Republicans were determined to prevent this, and numerous propositions were offered for a constitutional amendment basing representation on the

[1] Stanwood, "James G. Blaine," 1-52.

number of votes cast. Mr. Blaine proposed that the general rule of representation in proportion to population should be unchanged, but that if a State denied civil or political rights on account of race or color, its representation should be reduced in proportion to the number of persons thus disfranchised. Mr. Blaine's chief argument was that, basing representation on votes would give a great and most unjust advantage to the newly settled States of the West, where the proportion of adult males to the total population was extremely large, and he claimed that similar conditions would prevail for a century "under the stimulus to the emigration of young voters from the older States to the inviting fields of the Mississippi valley and the Pacific slope." The rule he proposed was adopted and became part of the Fourteenth Amendment, but has never been and probably never will be enforced.

The most important official act of Mr. Blaine during his fourteen years as a Representative was neither the defeat of Stevens on the money bill, nor the formulation, in substance, of a part of the Fourteenth Amendment, for both might have been accomplished by others had Mr. Blaine remained silent. His most distinctive and far-reaching act was a reply to Representative Conkling of New York. In less than five minutes he delivered one of the most telling invectives in our legislative history, made a lifelong enemy, prevented his own attainment of the highest office in the nation, and made Grover Cleveland, President. Mr. Conkling was an able and honorable man, but of the type of Thomas H. Benton, impatient of contradiction, vain and domineering. He had made a severe attack on Provost Marshal General Frye. Frye replied in a letter, bringing counter accusations against Conkling, and this letter Blaine, who had already come to Frye's defense, read in the House. There was a sharp debate, Blaine accusing Conkling of receiving public money illegally and of unfairly changing one of his speeches before it appeared in the Congressional Record. Conkling expressed his profound indifference to what the gentleman from Maine might think of him and Mr. Blaine made a brief reply, closing thus: "As to the gentleman's cruel sarcasm, I hope he will not be too severe. The contempt of that large-minded gentleman is so wilting; his haughty disdain, his grandiloquent swell, his majestic, supereminent, overpowering turkey gobbler strut has been so crushing to myself and all the members of this House that I know it was an act of the greatest temerity for me to venture upon a controversy with him. But, sir, I know who is responsible for all this. I know that within the last five weeks, as members of the House will recollect, an extra strut has characterized the gentleman's bearing. It is not his fault. It is the fault of another." Mr. Blaine then stated that Theodore Tilton in a letter to the *Independent* had said in jest that the mantle of the brilliant Henry Winter Davis had fallen upon Conkling. "The gentleman took it seriously, and it has given his strut additional pomposity. The resemblance is great. It is striking. Hyperion to

a satyr, Thersites to Hercules, mud to marble, dunghill to diamond, a singed cat to a Bengal tiger, a whining puppy to a roaring lion. Shade of the mighty Davis, forgive the almost profanation of that jocose satire."

Conkling never forgave the attack, and personal relations between him and Blaine ceased. They would not speak to each other when guests at the same table or when sitting in a small company of mutual friends in a railway car. Conkling insisted on an apology as a condition of reconciliation, Blaine would make none, and all attempts to bring them together failed.

At the time of the clash Mr. Blaine was comparatively unknown, but he soon forged to the front, and when Speaker Colfax became Vice-President, Mr. Blaine was chosen to succeed him. He served for six years, being twice unanimously renominated, and then, the Democrats having carried the House, gave up the chair to Samuel J. Randall, of Pennsylvania.

As speaker he proved remarkably successful. Mr. Stanwood says of him:

"Mr. Blaine was master of his position from the day when he first took the gavel in his hand. He had the look and the bearing of a leader and commander. His strong and handsome features, his well-shaped person, his easy and graceful attitude, his penetrating voice, his thorough acquaintance with the rules of the sometimes turbulent body over which he presided, the quickness and keenness of his mind in perceiving the relation of a point of order to the particular rule that was invoked, and finally a personal magnetism that won for him the unavowed affection even of political opponents against whom he decided such points,—all these characteristics made him a model Speaker, one of three or four great occupants of the chair hardly second to any one."

Like all the great Speakers, Mr. Blaine magnified his office. He not only used his authority to assist his party, "but also to promote or hinder measures according as they did or did not recommend themselves to his individual judgment."[8] He took special advantage of the Speaker's right of recognition and would fail to "see" a member unless the measure which he wished to offer had been previously submitted to the Speaker for his approval. But he firmly refused to count a quorum, that is, to count as present members who, though in the House, remained silent when their names were called and so broke a quorum and prevented the transaction of business. The assumption of this power was to be the work of another great Speaker from Maine, Thomas B. Reed. Mr. Blaine left the Speaker's chair amidst expressions of the most cordial good will from both sides of the House.

His future career as candidate for the Presidency and Secretary of State will be noticed in a later chapter, but something may be said here of his personal characteristics. Mr. Stanwood says: "Mr. Blaine was a brilliant and powerful speaker, capable of appealing to the best in men and of basing his argument upon eternal principles. He was also a clever

[8] Stanwood, "Blaine," 109.

debater, skillful in leading opponents away from the principal question, and winning an advantage on minor, unrelated points." Mr. Stanwood admits that there was some justice in the charge often made that Blaine was "too smart."

But Mr. Blaine had a breadth of culture and of taste rare in an American politician. Senator Hoar says of him: "In addition to the striking qualities which caught the public eye, he was a man of a profound knowledge, of a sure literary taste, and of great capacity as an orator. He studied and worked out for himself very abstruse questions on which he formed his own opinions, usually with great sagacity."

In his speeches and letters he used classic references and quotations, not with the awkwardness and vanity of the half-learned, but with the natural ease of one who knows and loves the literature of Greece and Rome. More remarkable still, he had a knowledge of and fondness for theological questions. He liked to discuss them, and the first number of the Kennebec *Journal* which he edited contained a review by him of a work on St. Paul's Epistle to the Romans.

Like Henry Clay, Blaine had a high-strung, affectionate nature. His speech was often vigorous and impassioned and he was easily moved to tears. His heart went out to the whole world with sympathetic interest. Mr. Stanwood says: "It was his nature to be drawn toward every man and woman whom he met, and to make friends with them. He would enter into the interests of a boy, hold him by the hand, and question him about his school and his studies, as readily as he would attach a political magnate to his fortunes, and with as much or as little after-thought as to the consequence in the one case as in the other. It was simply his habit to be friendly with everybody, and his hunger for friendship was satisfied by his wonderful faculty for making friends."

Like Clay, Blaine had a power of attracting men which cannot be wholly analyzed or explained. His friends might boast of his magnetism and his enemies sneer at it, but that he possessed it there could be no doubt. His most bitter opponents yielded to the charm. A friend of his, Mr. A., was visiting at the house of Mr. Z., a true Massachusetts mugwump, to whom Mr. Blaine and all his works were anathema. Mr. A., however, obtained permission to ask Mr. Blaine to call. When he did so, Mr. Z. received him with just the courtesy required toward a guest, not an atom more. Mr. Blaine apparently saw nothing, but he did not fail to exert his usual power, and when he took his leave, great was Mr. A.'s amusement to see Mr. Z. follow him to the door and in most cordial tones request him to call again.

Mr. Blaine's power was not limited to those who came directly under his spell. Says Mr. Stanwood: "His magnetic field extended far beyond his personal acquaintance, beyond those whom the sound of his voice could reach. To those who never were affected by it, still more to the generations that are to come, the language that might be used to describe his

almost magical influence will seem extravagant and fanciful. But how can anyone explain the frenzy of the enthusiasm manifested on many occasions, when the name of Blaine was shouted by thousands of men who had never seen him?"

Mr. Blaine's facility in making friends was aided by a remarkable memory for faces and names, and he fully recognized its value. Gail Hamilton says in her account of the campaign of 1884: "Mrs. Ewing relates a characteristic anecdote of his visit at Lancaster, Ohio. At noon of the second day, she saw a carriage containing three men coming towards them. 'I suspect,' said she, 'that carriage is coming for you, Mr. Blaine.' 'Yes,' said he, 'but that is not the point. The point is that there is a man on the front seat whom I have not seen for twenty-seven years, and I have got just two minutes and a half to remember his name in. Not another word was said till the carriages met, when Mrs. Ewing's anxiety came to an end by his jumping from the carriage with hand extended, and a welcome beginning with the remembered name—a spirit called from the vasty deep."

Men of the Clay-Blaine type are specially liable to temptation and the atmosphere of Washington is not conducive to private morality. But however it may have been with Clay, Blaine escaped unscathed. As a youth he entered heartily into college life, when Speaker of the House of Representatives he was a frequent and liberal entertainer, and his tact and powers as a conversationalist made his dinners among the most enjoyable in Washington. But dissipation had no charms for him. On his leaving college one of the professors said in a certificate of recommendation, you "are indeed one of the few who have passed through their course without a fault or a stain." In after years the bitter attacks of his political opponents were confined almost entirely to his public life. He never used tobacco and was very moderate in the use of wine. His home was his club. "He was domestic in his habits to an extraordinary degree, was never so happy or so exuberant in his spirits as when he was with his family, of which he was the *adored* and the adoring head, and was attached to all of his own and Mrs. Blaine's relatives, from the grandfathers to the infants in arms. In the other relations in which one judges of a man as a member of a social community he was not less irreproachable. No man was a kinder neighbor than he, or more helpful or sympathetic toward all with whom he was brought in contact. He was a liberal giver to charities, a generous supporter of the churches he attended, a buyer who did not bargain, a prompt payer of his debts. In early manhood he became a member of the Congregational Church in Augusta, and his name was borne on its rolls as of one in good standing to the end of his life. His religion was not flaunted in the faces of those who conversed with him, but it was deep and sincere."[1]

Mr. Blaine was undoubtedly ambitious, but his ambition was restrained and guided by a cool judgment. Mr. Stanwood says: "Leadership was a

[1] Stanwood, "Blaine," Chapter XII.

passion with him; the consciousness of power gave him the keenest pleasure; and he was wise enough to retain his power by not abusing it." He did not attempt to pick the pear before it was ripe. In 1861 he declined to seek a nomination for Congress which was desired by ex-Governor A. P. Morrill. He said that it would be unbecoming for one so young as he was to pit himself against a man of ex-Governor Morrill's age and services, and that should he do so it would divide the hitherto harmonious ranks of the Republicans of Kennebec. He desired a United States senatorship, but stood aside in 1871, influenced at least in part by the wishes of his friends that he should retain the Speakership. It may be thought that his attitude to the presidency was a proof of unrestrained ambition. He showed his good sense in refusing to lead against Grant in 1872, but from 1876 to 1892, both inclusive, by his own act or that of his friends, he was a competitor for the Republican nomination for President. Successful in 1884, he was defeated at the polls. It is difficult not to think of him as a perpetual candidate and a perpetual failure. Yet both Mr. Stanwood and Gail Hamilton, well informed if not wholly impartial witnesses, are confident that his frequent candidacies came rather from the urgency of friends than his own desire. He often saw more clearly than his over-zealous supporters the difficulties which he would be obliged to meet.

Nevertheless, Mr. Blaine was by nature eager and enthusiastic and his forecasts sometimes do more honor to his heart than his head. In 1868, for example, he declared that the election of Grant as President had settled finally both the Southern and the financial questions. On one subject alone did Mr. Blaine's almost constant hopefulness fail him. Gail Hamilton says: "His worst vice was a mind hospitably inclined to illness. It must be admitted that a drug and a doctor had irresistible, even hereditary charms for him." His wife speaks in one of her letters of the cry, "'O Mother, Mother Blaine, tell me what is the matter with me,' which has so often assailed my earliest waking ear, and which always makes my very soul die within me." As a political manager Mr. Blaine was distinguished for his carefulness and his attention to details, but he resolutely refused to cultivate these excellent qualities in his personal and home life. Gail Hamilton says: "His friends, his sons, his smallest child scoffed at his clothes, and he simply and stoutly defended his clothes. It was *de rigeur* to laugh at his hats."[8]

His wife when alone in her comfortable home wrote to a daughter that she longed for the family. "First of all, I miss Mr. Blaine. I cannot bear the orderly array of my life. I miss the envelopes in the gravy, the bespattered table linen, the uncertainty of the meals, for you know he always starts out on his constitutional when he hears them taking in dinner."[9]

Mr. Blaine had many excellent qualities, but were they outweighed by

[8] Gail Hamilton, "Blaine," 529, 599.

[9] "Letters of Mrs. James G. Blaine," II, 17.

a most serious defect, was he dishonest? When he was nominated for the presidency, in 1884, by the Republican national convention, many of the purest men in the party, who had joined it in its earliest and best days and had always remained in the ranks, though at times perhaps with doubt and hesitation, now declared that Blaine was corrupt and that they could not support him. But other equally pure men like Longfellow, Whittier and George F. Hoar, held him free from blame.

The Independents, who voted for Cleveland, were unable to comprehend how an honest man could vote for Blaine, and hundreds of thousands of Blaine's followers hailed him as the peerless leader on whose white plume there was neither spot nor stain. Today a more moderate view finds its champions. Mr. Stanwood believes "that by exaggeration, distortion and misplacement of facts, one series of acts in which Mr. Blaine was not wholly free from blame has been made to seem the conduct of a person destitute of moral character," but that in reality Mr. Blaine "was actuated by high motives, that he was inspired by a lofty patriotism, and that both in his public and his private life he was obedient to the promptings of a sensitive conscience." Governor McCall in his life of Reed says: "The Little Rock incident in which he was involved was sufficiently unfortunate without exaggeration, but its significance was magnified by the partisan animosity of critics who supplemented the known facts by conjectures of their own, and who reserved standards of judgment for him which they refrained from applying to their political friends."

The most serious accusations affecting Mr. Blaine's integrity relate to his connection with railroads. The United States had granted lands to the State of Arkansas provided that a railroad were begun within a certain time. The State gave the land to the Little Rock and Fort Smith Railroad Company, and Mr. Blaine used his parliamentary knowledge to assist the passage of a law extending the time allowed for construction. A little later he was anxious to obtain from Mr. Josiah Caldwell an interest in the road, and Mr. Blaine suggested to a mutual friend, Warren Fisher, that he might show Caldwell a letter from Blaine stating what he had done to save the bill which extended the land grant. Mr. Blaine said that he had endeavored not to be indelicate. It was certainly indelicate for one desiring a financial favor to mention official action, however proper, which he had taken to the advantage of the person from whom the favor was sought. This was not the only instance of such indelicacy on the part of Mr. Blaine. In the same year he tried to induce Jay Cooke, the great banker and financier, to assist the road. His letter asking Cooke to do so was written in almost suppliant language and strongly intimated that the writer would place his official influence or power at Cooke's service. On another occasion Blaine was very anxious that Cooke should take some action and Cooke's brother, Henry, wrote, "Blaine is so persistent in this matter that I feel it is important that he should be conciliated. . . . He is a formidable power for good or evil, and he has a wide future before him. However unreasonable

in his demands he may appear to you to be, my conviction is irresistible that he should be appeased."[10]

Mr. Blaine sold bonds of the Little Rock and Fort Smith road to various friends in Maine. The chief buyer was A. and P. Coburn and Company, who took $50,000, three other friends agreed to take $10,000 apiece, the others, $5,000. Mr. Blaine promised one or two of the purchasers to make good any loss which they might sustain, and this he did, not only for them, but for all who bought of him, when the road proved a failure. Nevertheless, he lost not only money, but friends by the affair. The Maine investors did not receive land grant bonds to an amount equal in face value to the first mortgage bonds, which other purchasers obtained, the company delivering the retained bonds to Mr. Blaine himself, as a commission for his services. His friends had not known that he was acting as the paid agent of the company in the affair, or that they should have received more than they did, and they were angry at what they regarded as trickery. Mr. Blaine did, however, save them from loss, which was more than the bonds that he received as commission would have done.

Nevertheless, he was most anxious to keep his agency secret, and, like many of the men who were caught in the Credit Mobilier affair, he made matters worse by attempts at concealment. He asked Fisher to write a letter as of his own motion, full of suppression and misrepresentation, and he made a speech in the House of Representatives which was entirely misleading and contained absolute falsehoods.

He was also charged with selling Little Rock and Fort Smith bonds of the par value of $75,000 to the Union Pacific Railroad for a sum considerably in excess of their market value, the railroad buying them presumably because it wished to oblige the Speaker of the House. Blaine denied the sale, and the president of the Union Pacific testified that the bonds were his own and bought by the road at a high price to recompense him for his services as president. But his testimony does not wholly agree with the other evidence, and Blaine appears to have parted with $75,000 of bonds and never to have named the person or persons who bought them. Fisher in one of his letters to Blaine tells him that, owing to his political position, he was able to work off all his bonds at a very high price, and Blaine in his reply does not deny it, but says that the money was at once used to save his friends in Maine from loss. It should be noted, however, that Blaine did not sell all his bonds, and yet did not think it worth while to correct Fisher in the matter, and he may have passed over the assertion regarding his political position for the same reason. What specially interested him at the moment was to deny Fisher's assertion that he had made money out of the Little Rock and Fort Smith affair. Mr. Rhodes, after giving the whole question careful consideration, is of the opinion that while there may

[10]Oberholzer, "Jay Cooke," II, 171-173, 354.

not be full legal proof against Blaine, the evidence against him is very strong."[11]

In the winter of 1869 the Republican party was seriously embarrassed by the question of the enforcement of the liquor laws. The annual State temperance convention demanded the re-establishment of a State constabulary. There was, however, considerable difference of opinion on the subject, even in the "temperance" wing of the Republican party. Woodbury Davis thought that there was no need of a State police except in large cities like Boston and New York. He said that it was the imposition of a jail sentence on the first conviction that had caused the great falling off of liquor selling in 1867. John L. Stevens, the editor of the Kennebec *Journal,* opposed both the creation of a State police and the passing of a law for jailing on the first conviction. Attorney General William P. Frye believed a State police necessary; he said that there were great violations of all laws, not of the prohibitory law only. He thought that there should be a State constabulary, with a chief and at least one deputy in each county. Joshua Nye, formerly chief constable, said that the rumsellers told him that it was the enforcement, and not the legal penalty, which they cared for, and he declared that as soon as the constabulary law was repealed liquor selling began again, although the imprisonment law was still in force.[12]

Encouraged, perhaps, by this division among the prohibitionists, the Legislature neither re-established a State police nor made imprisonment the sole punishment for liquor selling, even in the case of a "first offence." The radical Prohibitionists then became extremely active. The Eastern Maine Methodist Conference resolved that the Legislature had violated their high duty in failing to create a State police.

The Maine Grand Lodge of Good Templars voted to request the State committee to call a temperance convention earlier than the party conventions, to consider the temperance question, and, probably, to nominate some true temperance man for Governor. The Grand Division of the Sons of Temperance voted that a preliminary convention should be held and that if neither of the principal parties should make a satisfactory nomination, then another convention should be called to nominate a temperance candidate.

The Maine conference resolved "that esteeming it the duty of Christian men to vote as they pray, and viewing the ballot box as one of the most appropriate and powerful instrumentalities that can be made use of in the interest of morality, we will neither vote ourselves, nor encourage others to vote, for any party's measures, or men, not practically devoted to the cause of prohibition. That the course taken by the Legislature and the Chief Executive of this State, during the past two years, has so crippled and destroyed the influence of the prohibitory law, that it is no longer enforced except in rare instances, and there accordingly prevails such an

[11] Rhodes, "History of the United States," VII, 194-206.
[12] *Whig,* Jan. 30, Feb. 13, 14, 1865.

amount of degradation and crime, as must fill with sorrow and indignation the heart of every true friend of temperance."

On June 24, the Republican convention, as it may again be called, met.[13] Governor Chamberlain had served three terms, and both Governor Cony and Governor Morrill had declined being a candidate for a fourth. Governor Washburn had refused a third nomination and special circumstances had prevented Governor Coburn from serving more than a year. Governor Chamberlain had determined to retire, but a letter was written to him by a number of prominent citizens, including ex-Governor Coburn and George F. Shepley, highly praising what he had done for the development of the State and begging him to allow his name to be placed before the convention. The Governor replied in appreciative terms that he would respond to the call of duty. He did not, however, receive an uncontested renomination, as had been the case in 1867 and 1868. He had given great offence to the "temperance" men. He had declined to preside over their convention, he had used language in his last inaugural which was not pleasing to thorough-going prohibitionists, and it was reported that he had said that if the Legislature passed a constabulary bill that he would veto it. Under such circumstances it might well seem unwise to nominate the Governor for a fourth term, but the convention did so. The temperance men put forward as their candidate Sidney Perham, long a worker in the cause, but he received only 375 votes to Chamberlain's 694, there were 36 scattering. The convention resolved "that we emphatically renew our adhesion to the principles of prohibition and a vigorous enforcement of laws to that end." It also declared for a development of Maine's great material resources "with a due regard to her present indebtedness."

The Democratic convention had the unusual experience of nominating a candidate who refused to accept. There was a strong movement in the party in favor of putting up new men and bringing forward new issues. The party had been led by extreme copperheads like Marcellus Emery and Eben F. Pillsbury, but opposition to the war was a dead issue and of unsavory memory, and the younger Democrats were anxious for a change both in leaders and creed. The convention accordingly nominated Mr. Charles P. Kimball, a wealthy and popular carriage manufacturer of Portland, who was *persona grata* to the younger element, but Mr. Kimball rose in his place and declined the honor.

On the second ballot the number of votes fell from 546 to 330. Of these votes 217 were given to Franklin Smith, of Waterville; the rest were scattered among various gentlemen. Mr. Smith was well disposed toward the "Old Guard" and they to him; the *Whig* in some caustic comments asserted that the whole thing was a skillful plot of the managers. The

[13]The request for the choice of delegates did not indeed use the word Republican and it was addressed to all who endorsed the principles of the inaugural of President Grant and favored a judicial and economical administration, but the signers of the call described themselves as the Republican State Committee.

platform declared for free trade and the taxation of government bonds.[14]

But if the Democrats went into battle with the progressives in their own ranks baffled and sore, they had the satisfaction of knowing that the radical prohibitionists had formally bolted the Republican ticket. A State temperance convention nominated N. G. Hichborn, of Stockton, for Governor, and declared themselves in favor of the payment of the public debt, the passage of laws for the development of the resources of Maine, total prohibition, and a State police. Mr. Hichborn had been State Treasurer from 1865 to 1868. When it was decided to nominate a candidate for Governor, the secretary of the State temperance committee, Mr. Shorey, of Bath, and three other members, Colonel Fred N. Dow, son of Neal Dow, and Messrs. Jordan and Moulton, of York, resigned their offices. John J. Perry, a vice-president and a member of the committee on resolutions, did the same.[15]

Many of those who led in the third party movement did so because they felt that they had been cheated by the politicians, and that they were fighting in a holy war. Rev. D. B. Randall wrote to the Lewiston *Journal* that he had been engaged in the temperance cause in Maine for nearly forty years, that he and thousands of others had acted with the Republican party during the Civil War, being assured by the leaders that when the crisis was passed they should have such legislation as they might desire, but that these promises had not been kept, and that for the last two or three years the action of the party had been contrary to them. Mr. Randall said that he had been averse to political action on the part of the temperance men and had hoped first that the State and then that the county conventions would take a stand for enforcing prohibition, but that nothing satisfactory had been done, and that he was constrained to say that he could no longer act with the Republican party.[16]

But there were earnest prohibitionists who were not ready for extreme measures. Among them, beside those already mentioned, were Dennis L. Milliken, Lyndon Oak, Ebenezer Knowlton, Nelson Dingley, Sidney Perham, Woodbury Davis, the two Morrills and Neal Dow. John J. Perry, who had resigned from the resolutions committee of the State temperance convention because he believed that it was not advisable to form a party antagonistic to the Republican party at the present time, said in a public letter: "As for the question whether or not a consistent temperance man can vote for Governor Chamberlain, I express no opinion, for I believe that class of men generally, have some very decided convictions as to their duty upon this subject, but I cannot see the expediency of forming a new party, when its inevitable result will be to divide up and scatter the temperance men of Maine, and destroy that harmony of action which has so happily existed in their ranks for the last fifteen years.

[14] *Whig*, June 30, 1869.
[15] *Whig*, July 1, 1869.
[16] Quoted in *Whig*, Sept. 7, 1869.

"If the temperance platform of the Bangor [Republican] convention is a party trick, a cheat, a swindle, as alleged by the friends of the third party, we shall all find it out in due time; and in such an event, there would be then but one voice and one opinion among the fifty thousand temperance men of Maine—raise the temperance standard high above all party organizations and around it rally to the polls and 'fight it out on that line until victory perch upon our flag'."

On election day the number of votes fell off considerably, not only as compared with 1868, a presidential year, but with 1867. General Chamberlain was, however, elected by a good majority. He received 51,314 votes, while Smith polled 39,033, and Hichborn only 4,735.

Governor Chamberlain in his inaugural address of 1870 discussed with some vigor the subject of a constabulary law and the character and motives of the Hichbornites. He said:

"It is proper that I should inform you that there seems to be a general falling off in respect for our liquor laws. The enforcement of these laws comes in no manner within the power of the Executive. It very properly devolves upon municipal officers, and the degree of their zeal and efficiency is measured by the prevailing local sentiment. It is not an unreasonable theory that the State should secure the even and impartial execution of her laws throughout her jurisdiction. So far probably all good citizens would agree, but the erection of a special police for the purpose mainly of enforcing (a) liquor law beyond certainly, if not against, the wishes of the municipalities, has been urged by some as a proper measure and proclaimed by a few as a test of allegiance to the cause of Temperance. But in a government like ours one of the most delicate things which a State could be called on to do is to invade the ancient rights and dignities of towns, which the historian and statesmen know, are at the foundation of our liberties. It is still more difficult when the issue is upon a contested question of social ethics, or public morals, upon which even good men might be divided, and bad men find pretexts for giving the most dangerous passions sway.

"Unfortunately, we have made the experiment our own; and the salutary lesson to be learned from it may warrant me in taking public notice of it here. A principle prized by all was arrogated by a few, and made the placard if not the watchword of a political organization. The result, as might have been expected, was to give a worthy and sacred cause the appearance of defeat. The cause has suffered, but should not be held to blame. Its very virtue was its misfortune. The strong hold which it had upon the hearts of the people was the occasion of its being seized upon to cover sinister contentions. Serious elements of disaffection availed themselves of the confusion which their cries had raised and rallied in a strange companionship, under a banner which had never been so entrusted to them, and which lost its consecration by their laying on of hands. The elements which conspired in this movement and the animus which impelled it, appear to have been so well understood by our people as to require no analysis by me. Four thousand votes in a total of 100,000 after the unparalleled resorts of that campaign prove that whoever else voted that way the temperance men of Maine did not. They answer to a longer roll call. They muster a nobler host."

The Governor referred to and reproved the bitterness of the recent campaign and in order that those who had followed him on another field might not be led astray "by the false fancy that they are following me still," General Chamberlain asked leave "to lift my standard for a moment that they may see where I am. Let them not think that the record of a lifelong loyalty is so easily reversed. I shall not seek safety in the lines of the enemy to escape the mutinies of the discontented, more anxious for their own way than for victory, nor turn back to camp because some raw recruit on picket, with the impetuosity of terror, unable to discern front from rear, or friend from foe, shrieks at me for the countersign." Passing to the nature of the question of prohibition, the Governor said:

"Any law which proposes to abridge personal rights should be ventured upon with the utmost caution and administered with the widest charity. There are other things to be thought of besides restraining men from the use of intoxicating drink. Tho' this be a parent of crime and begets monsters from which all the good avert their faces and seek to save their fellows, yet we must not expect that it can be wholly subdued and driven from among men. The laws against intoxication are as well executed and obeyed as the laws against profanity, theft, unchastity or murder. Even if they are executed they will not aid to extinguish crime, nor banish evil from the hearts of wicked men. These are questions which go to the foundations of society. We must consider what can be done. Restrain and intimidate as much as you can by law; it is only by the Gospel still that men can be converted from evil."

The Governor may have shown courage in this part of his message, but he manifested little tact. The personal note was too prominent and the attack on the motives of the supporters of Hichborn was both unfair and impolitic. Probably most of those who voted for him were honest if impracticable idealists, and thousands who remained away from the polls or even voted for Chamberlain had much sympathy with the seceders, but were unwilling to turn against the party in whose ranks they had served so long.

The *Whig,* no blind or fanatical supporter of prohibition, said that the Governor "gained nothing in our estimation by rehearsing the deeds of men who differed from us last year in action, and that his ideas of the manner of enforcing temperance are of questionable wisdom or expediency, scarcely worthy an able public officer." But the *Whig* especially regretted the statement that the prohibitory law was as well enforced as other laws. It declared "without fear of contradiction that in no such sense as we view other prosecutions, is the liquor law enforced. We assert that in a great majority of the cities and villages of this State the law is shamefully neglected. We believe that in almost every city the police know and could easily learn of cases of violation almost under their hourly view. The law is not enforced as it should and can be enforced, and as it must be enforced; and the Governor has been lamentably deceived in relation to it."

Certainly the Governor's address did not daunt the radicals. The State temperance convention met at Lewiston late in January. Nelson

Dingley, the editor of the Lewiston *Journal* and a leading politician as well as a sincere and consistent temperance man, was appointed chairman of the committee on resolutions. He reported seven. One of them declared that it was the duty of the State to provide for the uniform and impartial execution of its laws. But this resolution was not strong enough to suit the convention, and an amendment was carried calling in explicit terms for a State Police. Another resolution of the committee which was duly passed declared it the duty of temperance men to support only the party which stood by prohibition.

The Legislature referred the part of the Governor's message relating to temperance to a committee, and public hearings were held. Two measures were chiefly favored by the radicals, one was the re-establishment of the State police, the other a provision for fining municipal officers who failed to enforce the law. Mr. Dingley declared that nothing short of a State police would do. He was supported by Mr. Stickney, of Presque Isle, who explained with great frankness why a law fining town officers would be ineffective in some places. He said: "Suppose these officers neglect their duty, who will commence action against them? They are respectable citizens, no one wants to meddle with them, and the rum selling will go on as ever. We get our best men for town officers, men who will look after the financial interests with careful attention; but generally they are men who would not be mixed up in a 'rum affair'; if we get the right men to enforce the law against rum selling, they will not be fit for anything else."

The Legislature did not re-establish a State police, but provided for the fining of municipal officers who failed to prosecute on receiving a specified kind of notice that liquor was being sold. The law also directed that a warrant for search and seizure should be granted on the complaint of one person, instead of three, as formerly; an officer was allowed to seize without a warrant, keeping the liquors in some safe place until he could procure one; condemned liquors were in all cases to be destroyed, and it was made the duty of every county attorney to have all liquor sellers who had been convicted in the Supreme Court sentenced at the same term, "unless for reasons satisfactory to the court the case may be continued for sentence one term, but no longer." Additional provision was made for punishing misconduct on the part of municipal officers authorized to purchase liquor.

The Republicans made a further concession to the radical prohibitionists in their selection of a candidate for Governor. Governor Chamberlain had been spoken of for another term, but his name did not come before the convention. The candidates were Mr. Perham, General Chamberlain's opponent of the year before, and Samuel F. Hersey, a wealthy lumber operator of Bangor. The contest was close and at times warm, but as there were only two candidates one ballot was sufficient to decide it. Mr. Perham was nominated, receiving 667 votes to 627 for General Hersey.

Sidney Perham was born in Woodstock, Maine, on March 27, 1819.

He had a school but no college education, and became a farmer and teacher. He served for two years as a member of the State Board of Agriculture, and in 1855 he was Speaker of the Maine House. He was subsequently county clerk of Oxford county, and from 1863 to 1869 he was Representative in Congress. Shortly after his governorship he sought in vain an election as Maine Secretary of State, but a little later President Hayes appointed him appraiser of the port of Portland, and he held the office for eight years. Like Governor Washburn, Mr. Perham was a staunch Universalist and was actively interested in the work of the denomination. He died on April 9, 1907, having just completed his eighty-eighth year.

The platform of the convention announced, "That we rejoice in the vast and varied natural resources of our State, and hold that it should be the constant effort of every department of the State government by wise, uniform and foreseeing State policy to develop these resources and bring them into active operation, and then to furnish profitable employment for our industrious people, a home market for the produce of our farmers, so as to stay the tide of emigration from our State, and increase our wealth and population." It declared that the public debt should be paid according to the letter and spirit of the contract, but favored a reduction of the debt when not contrary to the public promise and to industrial interests, and opposed the fostering of one branch of industry at the expense of another. A separate resolution stated that "the shipping interests of the State and Nation demand the care and protection of the Government, and the adoption of such measures as shall relieve the owners and builders of vessels." The convention also resolved "That we renew our adhesion to the principle of prohibition, and a vigorous and impartial enforcement of the laws to that end."

Nothing was said about a State constabulary, but Candidate Perham was one of the most radical prohibitionists in public life and the State temperance committee declared a convention summoned for June 18 indefinitely postponed. Nevertheless the convention was held. The attendance was not large, though some of the most earnest temperance men of the State were present, Hon. Henry Tallman, of Bath, presiding. The convention, by a unanimous vote, nominated as a candidate for Governor, Hon. Sidney Perham, and adopted resolutions demanding thorough-going temperance legislation, a State police, and the continuance of the temperance party organization. A State committee was appointed, and arrangements made for independent county and representative nominations. The convention severely censured those members of the State committee who had caused notice to be sent out that the convention was indefinitely postponed, thus preventing a larger attendance.

The campaign for the Republican nomination had been a sharp one, but at least the convention had maintained decorum. The Democratic convention was marked by great disorder and bitterness. The progressive wing believed that now there was a golden opportunity for a new departure.

The nomination of Perham had slighted the East and offended the liberal Republicans and the friends of Chamberlain. Before his first nomination for Governor there was considerable doubt whether he would support President Johnson or Congress. Now, notwithstanding the declaration in his address in January that he would not go over to the enemy, many Democrats felt that it might be possible to form an alliance with him and his followers.

The convention met at Portland on June 28. After it had organized and chosen committees, Mr. George F. Emery, of Portland, offered a resolution that the convention adjourn until August 9. The motion was received with cheers and hisses.

"Mr. Emery said that in making that proposition he expressed the unanimous desire of the Portland delegation, who wished to wait and see what action the people of Maine would take in view of the recent convention at Augusta. He believed the people of Maine would desire to bring forward as their candidate that eminent patriot and statesman, Joshua L. Chamberlain.

"At this part loud and long-continued applause broke out, in which a yellow dog on the platform took a prominent part. When the cheers subsided, vigorous hisses succeeded.

"Mr. Emery went on to say that no Democrat has any cause to complain of Governor Chamberlain; that, under the circumstances, he is the best man available for Governor and the best man for United States Senator. (Applause.)

"General Roberts, of Bangor, with excitement: 'Is the Democratic party of Maine dead?' (Voices, No, No!) 'Have we come here to witness the burial of the remains and act as pall-bearers?' (No! No!) 'Are we to adjourn for thirty days to beg of the Republican party some of the crumbs from their tables? For his part, he considered the adoption of the resolution a most disastrous affair.' (Cheers.)

"E. W. Farley moved the indefinite postponement of the resolution. It digs the grave of the Democratic organization. General Chamberlain and the Democratic party have nothing in common except on the question of prohibition. . . .

"W. G. Chadbourne, of Portland, sprang upon his feet and with much vehemence at the top of his voice cried out: 'You must get out of the old ruts. Where are you(r) young men? In the ranks of the Republican party. Take this recess. Let us then come together again and put in nomination Joshua L. Chamberlain (hisses) and we will hang around him a majority that will astonish the hard-cider campaign.'

"Mr. Simpson, of Belfast, vigorously opposed the resolution. He had respect for Governor Chamberlain, but did not see how he could step from the Republican prohibition platform of last year to the one which the convention would construct.

"Gen. S. F. Nickerson said he was tired of being led to defeat year after year. He believed General Chamberlain would give this success.

"Mr. Madigan, of Aroostook, sneered at the idea of going to the liberal Republicans and begging them to give us a candidate. Has any gentleman any written pledge from General Chamberlain that he will accept any nomination from this body, which will warrant our adoption of him?

"Mr. Rice, of Rockland, opposed and Mr. Clifford supported the resolution, saying that the Democratic party has slept for ten years, and we must wake up and welcome recruits. We do not propose to surrender Democracy, but to make it successful.

"After three cheers led by H. W. Ripley for the Young Democracy, and three more led by Mr. Clifford for the Old Democracy, the convention took a recess for dinner.

"The convention re-assembled at 2.45, and the debate rambled on, growing fiercer and fiercer. A motion was made to adjourn to August 16th, instead of 9th, and Mr. G. L. Boynton proposed to adjourn to Bangor instead of Portland, remarking that he had seen quite enough of Portland."

Marcellus Emery criticised Governor Chamberlain. "Mr. Wilson, of Thomaston, added his protest against adjournment. He learned from General Chamberlain's friends that he will not accept any nomination from us; that it will embarrass him. He is a candidate within the Republican party for the senatorship. W. G. Chadbourne told Emery that the Democratic party owed him nothing, but that he owed everything to the party. If it hadn't been for Democracy he would have dangled from a Bangor lamppost during the war. The hall was a perfect pandemonium. At length quiet was partly restored and Mr. Chadbourne finished his speech. Virgil D. Parris moved that the whole subject of adjournment lie on the table. His motion was defeated by a vote of 252 to 162. This settled the question, and the resolution was thereupon amended, making the time August 16th, and the place Bangor, whereat the Young Democracy let themselves out in a prolonged war whoop of victory, the opposition charging . . . mistakes and cheating in the count."[11]

The *Whig* expressed the opinion that the victory would be only temporary. It said, "The Young Democracy may cavoort and prance under the lash, but the old wheel-horses will prove too heavy for them and refuse to budge the team except along the beaten road. At Portland they were not fairly in harness, many of the veteran stagers being out at pasture, but in August the whole herd will be corralled and pedigree will tell."

The postponed convention, however, although it nominated a supporter of the Old Guard at Portland, scarcely proceeded along the beaten path. The managers had worked earnestly for harmony and the convention, with only two dissenting votes, nominated Gen. Charles P. Roberts, of Bangor. At Portland he had vehemently opposed the nomination of General Chamberlain, but he had served with courage and reputation in the Civil War as colonel of the Second Maine and temporary commander of the brigade of which it formed a part, and it was certainly a new departure for the Democrats of Maine to appear in the field with a Union soldier at their head. Moreover, the platform had little to say about reconstruction, but it accused the Republicans of extravagance and corruption and of destroying Maine's shipping interests, and demanded free trade as a right

[11] *Whig*, June 30, 1870.

of the people. It denounced an act of the Maine Legislature allowing a town to consolidate its school districts and resolved "That while the Democratic party are in favor of a judicious regulation by law of the sale of intoxicating liquors, they are opposed to the present prohibitory law and the restoration of a State constabulary."

After the adoption of the platform another resolution was added denouncing Chinese immigration.

The Democrats made great use of their candidate's military record, criticised Perham and declared that, if elected, he would attempt to force a State constabulary on the people. The *Argus* said on election day:

"For Governor, the choice is between General Roberts, a brave soldier who left home and family to face hardship and death upon the battle field, in defense of the Union, and Mr. Perham, who sat in his comfortable seat in Congress with his unsullied white necktie on, and voted himself forty-five dollars a day instead of the eight dollars a day paid before the war. . . .

"If Mr. Perham did aught in behalf of his country, for which he was not more than doubly paid, history has made no record of it. The only thing for which he gained notoriety was his proposition to make soldiers' widows prove that they were not prostitutes before they could draw pensions."[18]

"This shameful indignity to the widows of soldiers received the condemnation and contempt which it merited. Aside from this, we are not aware that Mr. Perham is distinguished for anything except ramrodism. On this subject he is a full blood fanatic and his election will give him an opportunity to show it. Voters, is that the kind of a man you want? No, we know he is not. Then *vote for the gallant Roberts and elect him.*"

The Republicans replied by charging the Democratic leaders with copperheadism in the war, and dwelling on the disloyal record of Marcellus Emery, who had been nominated for Congress. They spoke of Roberts' *short* military record, he having resigned in 1862 on account of ill health. They quoted from Representative Dawes, of Massachusetts, who had said in a speech at Portland that if a pensioner forgot Perham he would forget his best friend, and declared that Perham would be guided on the temperance question by the wishes of those who elected him.

The election was a triumph for the Democrats. They made large gains on the gubernatorial vote and gains also in both branches of the Legislature. The official vote for Governor stood: Perham, 54,019; Roberts, 45,733.

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[18] *Whig*, June 30, July 1, 1870.

[19] Mr. Perham, as chairman of the House Committee on Invalid Pensions, had reported a bill of this kind, but it applied only to cases where satisfactory evidence of improper conduct had been presented to the Commissioner of Pensions. The bill met with sharp opposition. Representative Ingersoll, of Illinois, declared that it could never have emanated from any portion of the country other than "the cold and frigid regions of Maine," and Mr. Perham made a vehement reply, praising Maine for what she had done in the Civil War and what her sons had done in other States, including Illinois. The bill failed to pass.

The first duty of the Legislature was to elect a United States Senator for the full term of six years. The choice, however, had been really made in September. The Republican nomination for Governor had been turned into a contest for position in the senatorial race, and when a candidate for Governor had been chosen the struggle was carried into the contests for nomination of members of the Legislature. The *Whig* said: "The Senatorial question was obtruded into every local caucus, candidates were classified as Morrill or Chamberlain men, members of the Legislature were nominated with a view to the special issue and in many cases were peremptorily instructed by conventions to vote only for a specified individual. It was understood throughout the State that the September election was to decide the choice of Senator, this view was emphasized by the journals devoted to either candidate."[20]

The result was an overwhelming victory for Senator Morrill and the Republican caucus promptly ratified the informal choice by a vote of 105 for Morrill to 34 for Chamberlain, one ballot was cast for ex-Governor Washburn.

The next summer the Republicans renominated Governor Perham by acclamation. Their platform expressed pride in the record of the Republicans, declared that every American citizen should be protected in all his rights both at home and abroad, that a tariff was the best method of raising the national revenue, and that the rates should be adjusted so as to "promote the interests of every section and branch of industry in the land; special pains being taken to foster in every practicable way the honor and interests of the American laborer."

The Democrats though not openly divided as in their first convention of the year before were less harmonious than the Republicans. A movement known as the New Departure had started in the national party with that notorious copperhead, Clement L. Vallandigham, as leader, former issues in regard to slavery and negro suffrage were to be treated as settled and dead. The Young Democracy of Maine welcomed the movement joyfully, but the older men were unwilling to admit that their former war cries were to be regarded as matters of history merely. They wished the State convention to declare that the Democracy, while denouncing the means by which the Thirteenth, Fourteenth and Fifteenth amendments were passed, acknowledged their binding force until they should be regularly repealed. The resolution finally passed expressed loyalty to the Constitution "as it now exists," but denounced the means by which it became the law of the land. The convention also denounced repudiation and demanded the payment of debts in lawful money (greenbacks?), demanded further civil service reform and appointment by examination, and accused the President of packing the Supreme Court to obtain a reversal of the decision declaring the act making greenbacks legal tender, unconstitutional. Mr.

[20] *Whig*, Jan. 11, 1871.

C. F. Kimball was nominated for Governor with only a few scattering votes in opposition, and this time he kindly consented to stand up to be knocked down. He, however, made a good run, receiving 47,578 votes to Perham's 58,285, there were 34 scattering.

In 1872 a President was to be elected and the Democratic party in its desire for success took, indeed, a new departure. The influence of the politicians with President Grant, the withdrawal or dismissal from the Cabinet of some of its ablest and best members and the serious corruption in the public service alienated many of the oldest and purest leaders of the Republican party. It was well known that General Grant would be renominated and a convention of "Liberal Republicans" was held at Cincinnati to nominate an independent candidate. Five ballots were taken without a choice, on the sixth Horace Greeley showed such a gain that he was manifestly the winning man, delegates hastened to transfer their votes before the official announcement of the result and he was declared nominated by a vote of 482 to 187 for Charles Francis Adams.

The result was a surprise and a disappointment both to leading Liberals and to the Democrats. Greeley had been supported by some unsavory politicians, and his nomination was brought about in such a manner as to seem the result of a political bargain, both of which circumstances were extremely offensive to Liberals. The Democrats could not forget that Mr. Greeley had been fighting them in the *Tribune* from his youth up, first as a Whig and then as a Republican. Both the Democrats and the Liberal Republicans were opposed to a high tariff. Horace Greeley had always been an apostle of protection. While perfectly honest himself he was vain and easily influenced and many of his closest supporters were men of bad reputation.

Would the Democrats ratify such a nomination or the disaffected Republicans leave Grant for Greeley? In Maine the *Argus* promptly accepted the Liberals' nominee. In an editorial headed "The People's Candidate," it said:

"Nearly everybody was looking in a different direction for the candidate, and perhaps did not weigh, as the convention evidently did, the power which Mr. Greeley has with the masses of the Republican party. * * Everybody believes him honest, everybody believes him capable, everybody believes him faithful to the Constitution, the three Jeffersonian tests. He is for reform with all his heart, for a pure, simple, economical government; and in his daily life he exhibits the simple virtue of the earlier days of the republic. The masses of the Republican party will rally for him as the Whigs rallied for Harrison in 1840, and if the Democrats shall support him as they ought not to hesitate to do, Grant will be beaten out of sight in the coming contest."

The Democrats of Maine accepted this view. Their State convention adopted as a platform various extracts from Greeley's letter of acceptance and instructed the delegates at large to the national convention to vote for

Greeley. Not a word was said in the platform, of Maine issues. J. F Rawson of Bangor offered a resolution declaring that the Democratic party was opposed in principle to prohibitory laws and especially to those forbidding the sale of domestic wines and cider. Mr. Rawson's proposal was greeted with mingled hisses and cheers and after much confusion the resolution was indefinitely postponed. Mr. Kimball was renominated for Governor by acclamation.

In the Republican convention also an attempt was made to dodge the question of prohibition. The platform committee, by its chairman, Nelson Dingley, reported a resolution declaring that "we view with satisfaction the great progress that the cause of temperance has made the past year, and especially extend our cordial sympathy to the Temperance Reform movement which is spreading throughout the State."

Mr. Dingley, however, announced that a minority of the committee presented a different resolution. This resolution reaffirmed faith in the principle of prohibition and its impartial enforcement. Joshua Nye moved to substitute the minority for the majority resolution. A Rockland delegate said that he "preferred that prohibition should be dropped from the platform, as he did not think it best to raise questions of a local nature in the coming campaign." The convention, however, by a very large vote substituted the minority resolution. The platform pointed with pride to the Republican record, and declared "that the thanks of the people of this State are due to Congress, and to our delegation in that body for the recent legislation to promote the interests of ship-building and revive commerce; and we accept what has been accomplished as an assurance that their efforts in this direction will continue until that great interest is placed upon an equitable basis."

Governor Perham was renominated by acclamation. The campaign was sharply fought. The Democrats met the charge of copperheadism by parading a list of Union generals who would vote for Greeley, and by pointing out that Grant's Attorney-General, Mr. Ackermann, had been a Confederate and that he was supported by Mosby, the guerrilla. General Kilpatrick came to Maine and spoke for Greeley, as did Theodore Tilton of the *Independent* and ex-Senators Trumbull and Doolittle, leaders in the Republican party in its early days. Sumner and Schurz supported Greeley and there was an interchange of letters on the subject between the former and Speaker Blaine, each written with much ability.

The Republicans denied that the real fathers of the Republican party supported Greeley, attacked the characters of Kilpatrick and Doolittle and accused Trumbull of having sacrificed the Republican majority in the Illinois Legislature during the Civil War to get office for a friend. They said that the secession of Sumner and Schurz was due to pique.

The Democrats also resorted to personal assaults. They tried to turn both the Catholics and the Jews against the Republicans by accusing Wilson,

the candidate for Vice-President, of having been a Know Nothing and of having said in an attack on Senator Judah P. Benjamin that he was "ready to overthrow the government of his adopted country, which gives equality of rights even to that race which stoned the prophets and crucified the Redeemer of Mankind."

The Democratic papers accused Grant of being intemperate and of having declared during the war that he would resign if the abolitionists got control of affairs. Later in the State campaign the Democrats dropped national questions and concentrated their attack on the "cider law." The statutes had not only forbidden the sale of intoxicating liquors but had specifically provided that malt and distilled liquors should be so regarded. The Legislature of 1871 had added wine and cider to the list. The farmers were accustomed to make cider, their wives made wines from berries and fruits, and the Democrats attempted to use the law to turn the country districts against the Republicans. The latter did not always accept the issue. The *Whig* declared that the cider law was not Perham's measure, that he would have vetoed it had it been sent to him in a separate bill, that it was not even an essentially Republican measure, that some Democrats had pressed it for purposes of their own.

The election in Maine much encouraged the Republicans. Governor Perham was chosen by 17,000 majority, the vote standing Perham 71,888, Kimball 55,343.

The *Argus* said: "If Maine could have been left alone yesterday, and not overwhelmed with an army of plausible placemen, and an avalanche of greenbacks, she would have pronounced in more unmistakable terms for the great Reform movement, but as it is, all matters given grave consideration, we see no good reason to despair of the Republic."

In November, Grant was elected, receiving a very large majority both of the electoral college and of the popular vote. The *Argus* offered an explanation similar to that which it had given for the Maine defeat and announced that it bowed submissively to an inscrutable providence.

The *Whig* mingled its exultation with warning and a keen, truthful analysis of the meaning of the election. It said:

"It is incumbent on the Republican party to bear distinctly in mind, that the new lease of power and the gratifying credentials of popular confidence so recently bestowed, convey an obligation that it shall render in return the best service to the people. The errors of the party were not endorsed nor the methods and doctrines of all its politicians sanctioned, by the great national verdict of Tuesday; but the fundamental principles upon which it is established, the good which it has accomplished for the country so far overshadowing defects, and the general confidence in the sound judgment of President Grant, his honesty of purpose and his republican deference to the will of the people, have won from the intelligent voters of the United States an expression of approval which bears with it the sovereign command to see to it that the power thus bestowed is put to only the most worthy uses. The popular verdict means that the doctrines of

the Republican party are the doctrines of the people, and that so long as the party is faithful, fearlessly probing its own defects and zealously pushing forward the work of reform in every needed direction, its mission will not be ended nor its support withdrawn."[11]

The warning of the *Whig* that the voters would expect the Republican party to reform itself, that they had condoned but not justified the ill doing of Republicans, was fully warranted, but the politicians paid little heed to such advice. Congressmen raised their own salaries and made the bill retroactive, commencing the increase with the first session, and at the time the Credit Mobilier scandal came to light. The Credit was a company for building the Pacific Railroad and a member of Congress had sold stock on easy terms to Senators and Representatives to influence them in favor of the company. Probably most of the members acted without definite ill intent but many of them became alarmed at the public indignation over the affair and equivocated or worse in their endeavor to conceal what they had done. All this made excellent campaign material for the Democrats.

In Maine the Republicans attempted to break the force of the charges by pointing out that most of the Maine delegation in Congress had refused to take or had returned their back increase of salary, and by condemning corruption. Their State convention demanded the repeal of the Grab Act, as the increase of pay was called, denounced corruption and promised that they would allow no partisan feelings to shield the guilty from punishment. The convention also declared against the giving of more land to railroad or other corporations and the granting of the national credit to assist the building of canals or railroads, "believing that the direct tendency of that policy is toward prodigality and corruption." They also condemned the placing of riders on appropriation bills near the close of the session, and the increase of private legislation both State and national.

The nomination for the governorship went to Nelson Dingley. It was the reward of real merit and also of a very careful and thorough canvass. Various gentlemen had been mentioned for the place but as the date of the convention approached only three candidates remained in the field, ex-Governor Kent of Bangor, James M. Stone of Kennebunk and Nelson Dingley of Lewiston. Ex-Governor Kent, who was about to retire from the Supreme Bench, was out of the State during the campaign and the *Whig*, the paper that had brought him forward, said that it had taken action without consulting him. It claimed that a proper nomination was most important, that the people were inclined to hold the Republicans responsible for the Credit Mobilier and the Salary Grab, that Judge Kent had neither been guilty of political abominations himself nor had he any connections with those who had, "his whole object would be to make his administration worthily round out an honorable public career."

Mr. Dingley's campaign began on Fast Day when he went to Bruns-

[11] *Whig*, Nov. 9, 1872.

wick to address a temperance reform club and also to confer with some prominent men such as Governor Perham and Fred N. Dow. As a result of the conference he resolved to become a candidate for the nomination, a week later he met Chairman Blaine and others in Augusta and decided to publicly announce that he should seek the governorship. With the Governor and the chairman of the State committee, who was also the most influential politician in the State, supporting him, Mr. Dingley might feel reasonably sure of success. He had also other advantages. He was an earnest and sincere worker in the temperance cause and therefore had the hearty good will of the prohibition Republicans. He was comparatively a young man, being only forty-two years of age, and attracted the younger men of the party who felt that the oldsters had had their share of rule and office, and should make way for others. This gave him an advantage over Mr. Kent and the Lewiston *Journal* pressed it, by frequently referring with all respect to the venerable Judge Kent. Mr. Dingley was too young to have been for years identified with the machine and the circumstance was very useful to him. Various papers described him as no "trading politician," "a man of the people," "a man of the people and not a politician."

But Mr. Dingley's campaign for the nomination was made in true machine fashion. A private circular was sent by his friends urging early caucusses in Dingley towns in order to influence other towns, means were suggested to secure a full attendance of Dingley delegates and they were urged to be on hand the day previous to the convention "as it is before the convention that nearly all the work that tells is done." The recipient of the circular was told, "If you shall find that any influential man is in doubt perhaps it would be well to drop a line to Mr. Dingley requesting him to write to such person."

Governor Perham had been largely indebted for his nomination to the efforts of Mr. Dingley and he was not ungrateful. The *Whig* said, "Rumor has it that the ornamental portion of the administration (the staff) have found the most pressing and arduous of their official services in championing the Governor's favorite."

Before the convention met it was evident that Mr. Dingley's success was almost assured. The Waterville *Mail* said: "We expressed the opinion when Judge Kent was first named, that his age in connection with his long and well rewarded services, would weigh to his disadvantage. The political control of the State is in younger hands so that his election would disarrange too many plans. Very few men over seventy years old do much work which tells directly on a popular election, and the political sympathy between the voters of two score and those of three score and ten, runs through cooler waters than those which are agitated in an excited election. At the beginning of the contest Judge Kent went abroad from the State to rest. Mr. Dingley may have travelled some but not abroad. He belongs to the live men of the day, and no man better understands the company he is in.

Nelson Dingley Jr.

These reasons may be good or bad but they are evidently turning the tables."

The Republican convention met on June 19, and nominated Dingley on the first ballot by a large majority. The vote stood Dingley 816, Stone 211, Kent 170, scattering 6.

Mr. Dingley was born on February 15, 1832, in Durham, Maine. His parents, however, soon moved to Parkman in Piscataquis county and then to Unity in Waldo county. He spent two years at Waterville Academy and at nineteen entered Waterville, now Colby, College. He had already manifested an interest in politics and in 1852 made, what was, as far as known. the one bet of his life, a hat worth $4, that William G. Crosby would be the next Governor of the State. Unity sent him as a delegate to the Whig convention where he had the pleasure of witnessing the nomination of Mr. Crosby, who, it will be remembered, though failing of an election by the people was chosen Governor by the Legislature. In 1853 as a result of a misunderstanding with the faculty he asked and received a dismissal from Waterville and entered Dartmouth. Young Dingley was a most loyal member of the Zeta Psi fraternity, and with some of his brothers at Waterville, established a chapter at Dartmouth.

In 1854 he became editor of the Lewiston *Journal,* then a country weekly with about 1,800 subscribers. The editor not only wrote the editorials but directed the papers to the subscribers and spent the remainder of his time setting type. On graduation he began the study of law in Auburn but continued his connection with the *Journal.* In 1856 he was admitted to the bar but in the following year he definitely abandoned the law for newspaper work and bought a half interest in the *Journal.* In the succeeding year he purchased the other half. Between the years 1862 and 1873, inclusive, he served six terms in the Maine House, being Speaker in 1863 and 1864 and then declining a re-election. The subjects in which he took special interest were temperance and education.

Mr. Dingley also played some part in national affairs. In 1866 he met General Grant at the studio of Franklin Simmons, the Maine sculptor, who was making a bust of the general, and his report of the interview in the Lewiston *Journal* was taken throughout the country as an admission by Grant that he would probably be a candidate for the Republican nomination for President. Grant had confided his intention to only a few close friends and was annoyed at the premature publication of his plans. He spoke to Mr. Blaine, who wrote to Mr. Dingley. "The latter, with his customary courtesy, expressed his regret that General Grant had been annoyed over the interview, but justified his publication of the article on the ground of newspaper enterprise and the fact that the general was introduced to him as an editor presumably seeking the latest political news. At all events the Lewiston *Journal* beat the whole newspaper fraternity in announcing General Grant's probable candidacy for President."[22]

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[22]Dingley, "Dingley," 85-86.

Mr. Dingley's most distinguishing characteristics were unshakable seriousness and unwearying industry. He had not the faintest trace of humor. A joke was something that he could not comprehend, he not only never made one himself but he seemed unaware of the existence of such a thing. Perhaps no man ever lived who more closely followed the old Greek rule, "Know thyself." Cool, methodical and sober-minded, "he understood the scope of his capacity better than even his most intimate friend. He did not seek to overcome the impossible, but concentrated his indomitable energy in an effort to develop and improve every faculty and gift with which nature had endowed him. His patience was inexhaustible. His confidence in himself never wavered. Realizing that he was not possessed of the weapons of brilliancy, wit, and satire, he determined to lead and command by the accuracy of his information, the fullness of his knowledge, and in the skill and tact with which he presented his subject."

Representative Boutelle after speaking of Mr. Dingley in somewhat similar terms, said: "So my colleague became pre-eminently the student of the House of Representatives. It was my fortune to live in the same hotel with him during a long period of years, and I do not recall a single instance when I have entered his apartment while he was there that I did not find him seated with a pad upon his knee, surrounded by documents, laboriously but intelligently searching out the bases upon which the great questions agitating the American public were to be decided in Congress."

Thomas B. Reed, who in spite of his real admiration for Dingley could never refrain from quizzing him, said that he would rather have a pad and pencil on his knee than a pretty girl. When Mr. Dingley went on a vacation trip and others carried a rod or gun he took his beloved pad and pencil. This extreme studiousness was not a matter merely of duty or of ambition but of personal taste as well. Mr. Payne of New York said:

"It is related of him that long before he had reached his 'teens he read the speeches of Webster and Clay with more avidity than would most boys pursue Scott's novels. Entering the House of Representatives in the fiftieth year of his age, he was splendidly equipped for a career of great usefulness and honor. His mind was a storehouse of useful knowledge on all public questions. But better far than this, he had formed a lifelong habit of untiring research. He had learned to take nothing for granted. He must verify the truth for himself. To him to know was a delight, and the toil by which he reached that goal, so irksome to others, had become the keenest pleasure."

Mr. Dingley had need of all his attainments and ability as a scholar, for in various matters which are most important for success in American public life he was deficient. He was small in stature with a weak and sometimes harsh voice. He had little imagination, no brilliancy, and no personal magnetism. Yet he came to be the floor leader of the House of Representatives. This was partly due to his character. He never misrepresented an opponent or distorted a fact, and the whole House felt that he

was honest and sincere. If not magnetic he was unaffected and kindly. Busy as he was he was always glad to furnish information from his great store to all who asked for it.

He never indulged in personalities nor allowed himself to be provoked. He knew well the disadvantages of engaging in quarrels. When a member of the staff of the Lewiston *Journal* wished to reply in kind to some personal attack he would say, "Young man, write out what you have to say as hotly as you please, and then notice that such stuff is excellent to kindle the fire."

Had Mr. Dingley been only an industrious, sincere and kindly man, he might have won the respect and regard of the House, he would never have become its leader. But to his industry were joined analytical ability and a marvellous memory. The range of his knowledge was astounding. Representative Payne said of him, "He knew something about everything, he knew everything about many things." A Democratic Representative said of him: "I know no one who possessed so thorough and so complete a knowledge of this Government and of all of its departments and institutions as did Mr. Dingley. His knowledge in this direction was amazing, both for its breadth and its accuracy. He was fully equipped to be the chairman of any committee of this House. He had also the rare faculty of utilizing his vast learning both for the purposes of discussion and for the preparation of statutes and revenue bills. In him was successfully blended the thoughtful student and the practical man of affairs."

Mr. Dingley's appointment in 1897 as chairman of the committee of ways and means imposed on him the responsible duties of leader of the House. In this position he was most successful. His fairness, courtesy and readiness to oblige won the esteem of his opponents to an unusual degree and they had no wish to delay legislation merely for the sake of giving annoyance. Mr. Dingley's control over the Republicans was almost complete. This was due to his readiness to compromise on minor matters, his kindliness and freedom from envy, his tact and his unobtrusive ways. He never humiliated his colleagues by making public parade of his leadership. When a speech was necessary to check incipient mutiny he appealed not, as is often done in such cases, to partisan prejudice but to the reason and calm consideration of his followers.

In the congressional memorial services an opponent closed his speech by saying: "In their future conflicts his party associates will sorely miss his calm, thoughtful speeches and his tactful and discreet leadership. The Democratic side will miss his unfailing courtesy, his uniform fairness, and his considerate kindness. The whole House will miss his great learning, his valuable instruction. His friends will miss a kind, sincere, gentle soul, undemonstrative, unpretentious, but as true as steel. His country will miss a wise, pure, patriotic statesman."

The Democratic convention was not held until August 12. Again the

question rose of a new departure and an alliance with disaffected Republicans, but it was understood that the Conservatives would control and many Democrats joined the Republicans, declaring that reliance upon old issues meant utter failure. The Machias *Union,* an old school copperhead paper, asked, "Is it at all likely that the American people will give their attention seriously to the new political questions every day demanding solution," financial reform, an equitable tariff, reconciliation of North and South, "until the old political prejudices and the party names that kept them alive, are alike forgotten?"

"The Resolutions of '98 were well enough in their day, although at this distance of time we may be permitted to doubt whether they were worth the expenditure of so much intellect in discovering and describing their real force and extent; but they and their cognate doctrines have been settled and passed out of the public mind, and, we submit, are not now before the people of Maine for their consideration in this campaign.

"In the days of Democratic success, a Western Democratic Congressman said the Whig party should be encouraged and preserved. 'It was good for the discipline of the Democratic party and to win bets on.' The question is now for the Democrats at Portland to say whether they will longer assist as grooms in keeping the Republican party in racing order. We fear they cannot imitate the Whigs in furnishing winnings, as nobody is fool enough to venture his money on their feebleness." The *Whig* quoted the article and remarked: "It is very evident that the incantations of the little knot of politicians at Portland, Tuesday, will fail to set the Democratic pot boiling with any vigor."

The Portland *Press* headed its account of the convention with the well worn quotation *De mortuis nil nisi bonum.* The *Advertiser* said: "The delegates assembled here Monday night, and next morning conversed quietly at the hotels and on the street corners, with sober faces and subdued voices; and when the convention met Tuesday morning every one imagined that the flag raised at half mast on the City Hall, as a token of respect to the memory of the late Councilman Swett, was intended to betoken the moribund condition of the party assembled under its folds. Mr. Hubbard even made a speech—accepting the omen, and interpreting it to signify the decease of American liberty, which in the orator's estimation is a synonym for the Democratic party. In the meantime the patient's friends are like the hard hearted husband who advised his expiring wife not to try to talk but to go on with her dying. A Greeley Republican, whose letter we printed yesterday, wants the Democratic party to move out of the way, and the Machias *Union,* speaking the opinion of the sturdy Democracy of Washington county, openly advised the disbandment and dissolution of the party." The convention, however, did not take this advice but put forth a platform and nominated a candidate. The platform spoke of many things but some paragraphs were conveniently obscure.

The Republicans had met the charges against their party by pointing

out that Democrats as well as Republicans had been concerned in the wrong doings of Congress. The convention made the counter charge that as the Republicans had full control of the Government they were responsible for all public misconduct, including the seduction of the Democrats. "The woman tempted me and I did eat!" Two ballots were taken for the nomination of a candidate. On the first, Joseph Titcomb of Kennebunk received 136 votes, Artemus Libby of Augusta 106, other gentlemen 33. On the second ballot Mr. Titcomb received 198 out of 338 votes and was nominated. The *Whig* said of the candidate:

"Mr. Titcomb . . . is a graduate of Bowdoin in the Class of 1844, and is now about fifty years of age. He is a wealthy ship-owner of Kennebunk, and a successful and highminded business man. He was a member of the State Senate in 1850, since which time he has not been in public life, although he has continued an unflinching supporter of the Democratic party. Personally he is regarded as a courteous, cultivated and agreeable gentleman."

After this handsome tribute to an opponent the *Whig* made the cruel comment: "If the leaders had any hope of success they would have chosen a very different style of man."

There was a third candidate in the field representing the "Liberal" and other dissatisfied Republicans. This was ex-Governor Joseph H. Williams of Augusta. The Machias *Union* declared itself in his favor but he obtained only a small following.

The campaign was a very quiet one. There were no public meetings. The Belfast *Journal* in endeavoring to get the Democrats to the polls uttered the pathetic plea, "We owe it to the excellent and high minded gentleman whom we have in nomination for governor, to poll at least a respectable vote." And this the Democrats did. The official returns gave Dingley 45,244 votes, Titcomb 32,924, Williams 2,160; there were 625 scattering.

In 1874 both parties renominated their candidates of the year before without open opposition. The Republican committee on resolutions, of which Thomas B. Reed was chairman, reported a platform strongly favoring a return to specie payments. It also declared that "this convention views with lively satisfaction the increasing indications that the vast water power of the State is being more understood and appreciated as our strongest reliance for the increase of our wealth and population, and expresses its earnest sympathy for all judicious measures which tend to encourage capital and labor to engage in manufactures in Maine as the most effective means of developing its agricultural, maritime and commercial interests." The convention also adopted a resolution offered from the floor by Joshua Nye strongly endorsing "judicious prohibition." The Democratic convention denounced inflation and protection and approved civil service reform. The vote in September increased between fourteen and fifteen thousand over that of the year before, the Republican gain being about two thousand

the greater. There were 52,958 Dingley votes, of which 2,093 were cast for Nelson Dingley instead of Nelson Dingley, Jr. Mr. Titcomb received 41,898 votes; there were 444 scattering.

Senator Hamlin's term would expire on March 4, 1875 and there was a sharp though not a very close fight over the question of his re-election. He had expressed an unwillingness to run again and ex-Governors Perham and Washburn and Josiah H. Drummond of Portland announced themselves candidates for the succession. But many office holders who owed their appointment to Mr. Hamlin and who feared that a new Senator might want their places for his own friends urged him to run again and he decided to do so. The election of the Legislature seemed to assure the choice of Mr. Hamlin but the Portland *Press* worked vigorously against him and even hinted at a bolt should he receive the caucus nomination. Speaker Blaine wrote a public letter praising the Senator's character and services to the party and urging his re-election. A "Kennebecker" understood to be Anson P. Morrill published a letter in reply.

It was urged that Mr. Hamlin had done his work, that he had long held office and should make way for younger men. It was also said that he had not protested against corruption, that he was identified with the machine and that the recent disasters to the Republican party showed the need of a change of men. Mr. Hamlin's friends replied that his ability and integrity were unquestioned, they showed that some of the criticisms made against him were without foundation, they laid stress on the advantage to Maine of being represented by an experienced Senator and declared that a period of defeat was no time for experimenting with untried men.

The opponents of Mr. Hamlin were under certain disadvantages locally. Messrs. Drummond and Washburn were both residents of Portland, and Cumberland county was therefore divided. Mr. Perham might have obtained more support from his own county of Oxford had not Mr. Hamlin been by birth an Oxford man and a frequent visitor to it.

Late in the contest Judge (afterward Chief Justice) John A. Peters was proposed as a compromise candidate. The Democrats were anxiously watching for a Republican split, and Judge Peters, an old Douglas Democrat, might hope for an endorsement from them.

But when the Republican legislative caucus met for the nomination it was clear that Hamlin was the favorite. Mr. Wilson of Bangor, formerly a law partner of Judge Peters, stated that the Judge, as befitted his position, had taken no part in the canvass, that he had been brought forward "at the instance and with the approval of leading members of the Republican party, men of the very highest reputation for character and integrity who believed that Judge Peters represented ideas which ought to be engrafted on the principles of the Republican party," but the speaker added that he believed that the further use of Judge Peters' name would rightly be regarded as a factious opposition to the will of the majority and that he therefore withdrew it.

When the vote in the caucus was taken it stood, Hamlin 79, Drummond 19, Perham 19, Washburn 18, Kent 1.[28] At the election by the Legislature, all the regular Republicans voted for Hamlin and he was chosen by a large majority. The Democrats supported John C. Talbot.

According to custom, Governor Dingley was entitled to a nomination for a third term but he declined being a candidate. He urgently advocated economy and the *Argus* declared that he had thereby offended the politicians. Many persons were mentioned to succeed him but the convention, fearing perhaps a long and bitter contest, took none of them but united on a soldier, General Selden Connor, who was nominated on the first ballot by a practically unanimous vote.

Selden Connor was born in Fairfield, Maine, on January 25, 1839. He graduated from Tufts in 1859 and entered on the study of law at Woodstock, Vermont. At the outbreak of the war he promptly enlisted and served with distinction, chiefly as major and lieutenant-colonel of the Seventh Maine, colonel of the Nineteenth Maine and commander of a brigade. His thigh bone was broken at the Wilderness, a few weeks later he was made a brigadier-general but was unable to return to active service. In 1866 he again broke his injured leg and was confined to the house for two years. From 1868 to 1874 he was assessor of internal revenue. He was then appointed collector for the Augusta district and was holding that position when nominated for Governor.

In its platform the convention showed a leaning toward protection, declaring that "The great industries of the country, agricultural, manufacturing, mining and commercial, are entitled to encouraging legislation and such incidental protection and development as wise systems of revenue may rightfully afford." The Granger movement was becoming formidable and the convention paid tribute to its power by urging the Legislature to examine and ascertain "whether any form of property either corporate or individual, have escaped their legitimate share of the public burdens." Recent school laws and the expense they entailed had called forth much opposition and criticism, but the convention took a firm stand, declaring that "Our system of public education must be continued, improved and advanced so that every child in the State may have all the culture needed for honorable advancement and success in life." On the liquor question the convention said, "Temperance among the people may be wisely promoted by prohibitory legislation and it is a source of congratulation that the policy of prohibition, always upheld by the Republicans of Maine, is now concurred in by a vast majority of the people of the State."

The Democratic convention met the Republican nomination of a soldier by themselves nominating by an overwhelming majority General Charles W. Roberts of Bangor, their candidate in 1870. The platform denounced the Republican national administration as guilty of usurpation and corruption

[28]Given by Mr. Wilson. Judge Kent was not a candidate.

and demanded "a tariff for revenue to meet the wants of the government economically administered." It declared that the administration had "by adverse legislation and a vitiated currency crippled our leading interest as a ship building State and driven from the ocean a large portion of the mercantile marine engaged in the foreign commerce of the country."

One of the delegates, Solon Chase of Turner, a former Republican, offered as an amendment certain resolutions, taken from the Democratic platform in Ohio, favoring soft money, but they failed to pass.

In 1876 Maine for the first time presented a candidate for the presidential nomination. James G. Blaine had won a high reputation by his work as Speaker and by skillful leadership of the minority when the Democrats obtained control of the House in the winter of 1875-1876. An incident in this session exerted great influence on his future career. He defeated a bill for releasing the ex-Confederates from the disabilities imposed by the Fourteenth Amendment, because Jefferson Davis was included in its operation. His speech on the question caused the Democrats, who had been previously well disposed toward him, to become bitterly hostile and it alienated the more conservative Republicans with whom Mr. Blaine had been accustomed to co-operate. "On the other hand, it must be said that his course gained him immense popularity in his own party,—great and lasting, but not universal popularity. From the moment when he delivered the speech until the time of his death he was the most conspicuous Republican in all the land, the man whose partisans were more ardent, devoted, and numerous than were those of any other man. But he was also the man of all others upon whom the whole party could not unite, and the man whom his political opponents would take the greatest delight in defeating."[34]

In the spring his conduct in the Little Rock and Fort Smith Railroad affair was investigated by a hostile committee, and some influential Republican papers were not satisfied with Mr. Blaine's clever and brilliant defense. Men like George F. Hoar, though believing that Mr. Blaine was innocent of wrong, thought that the suspicions which had been raised made it inadvisable to nominate him. Finally just before the meeting of the convention he was prostrated by an attack, the result of the extremely hot weather and the mental strain which he had been under, and the convention might well doubt if it were wise to nominate a man who might prove totally unable to bear the strain of a national campaign and, should he be elected, of the presidency. His friends, however, knew no hesitation. At the convention his name was presented by Colonel Robert G. Ingersoll in a ringing speech in which Blaine was compared to a plumed knight, a phrase which was taken up in admiration by his friends and in ridicule by his opponents and became almost a second name. For six ballots Mr. Blaine led the field, on the seventh almost all the anti-Blaine delegates united on Governor Hayes

[34]Stanwood, "Blaine," 142.

of Ohio, and he was nominated, receiving five more than the necessary number of votes. The nomination for the vice-presidency went to William A. Wheeler of New York.

Hayes was agreeable to the reformers yet not obnoxious to the stalwarts, as the special followers of Grant, and the men who had most influenced his administration, were called. He had taken a leading part in an Ohio campaign, showing much ability in his discussion of the financial question. But apart from this he was not well known in the country. The *Argus* declared that he had done little in Congress and that his election would mean a continuation of Grantism. It asked "If Governor Hayes is not an easy going, good lord good devil sort of man is it not strange that all the Belknaps, Babcocks, Brothers and Brothers-in-law (of the President) are for him, don't these sharpers know their men?" The *Argus* said that Mr. Wheeler was far better qualified for the presidency than Hayes but was not nominated for that very reason.

In June, 1876, Mr. Bristow, the Secretary of the Treasury, resigned, and Maine received one of the most important places in the Cabinet by the appointment of Senator Lot M. Morrill as his successor. The Republican State convention requested Governor Connor to appoint Mr. Blaine to fill the vacancy until the Legislature should act and he promptly did so. The convention approved the Republican nomination for President and Vice-President, endorsed the national platform and reaffirmed the principles formerly set forth by the Republican State conventions in regard to prohibition and the development of the resources of Maine. Governor Connor was renominated by acclamation.

The Democrats nominated on the first ballot by a large majority, John C. Talbot of Machias. Other gentlemen voted for were John M. Goodwin of York (who had previously declined) and Abraham Sanborn of Bangor. It is said that the managers had intended to nominate Farley of New Castle, "that their little slate was smashed, but that the lively scene that would otherwise have ensued was prevented by some scientific political engineering during the noon recess." In its platform the convention called for reform and declared that "we are opposed to any inflation of our national currency, and that gold and silver form the only safe basis of our monetary system."

The Democratic national convention had not yet met and the State convention resolved "That in accordance with the sentiment of the Democracy of Maine this convention declare Samuel J. Tilden, the able, zealous, intrepid and successful Reform Governor of the Empire State, to be its first choice for President and recommend his nomination by the National Democratic Convention as eminently fit and proper." The convention also resolved that the customary requirement in the national convention of a two-thirds vote to nominate "being at variance with the well-established Democratic principle of majority control," should be abandoned. The ad-

vice as to the two-thirds rule was not taken, but Mr. Tilden was nominated. Thomas A. Hendricks of Indiana was nominated for the vice-presidency.

The Republicans under the lead of Mr. Blaine, who, according to his custom, earnestly supported the party candidate without regard to his own preferences, made a vigorous campaign. Among the able speakers brought from other States were James A. Garfield, John A. Kasson and Robert G. Ingersoll.

At the election for Governor the vote was the largest in the history of the State, Connor obtaining a majority of 15,000. The vote stood Connor 75,867, Talbot 60,423, Gage 520, scattering 13. The Republicans had gained 18,000 over the year before and the Democrats 7,000.

There was considerable comment on the election by papers outside the State. The Philadelphia *Press,* a strong supporter of Blaine, said that it showed the furore with which he would have swept the country had he been nominated for the presidency. The New York *Evening Post* said that the Maine election showed beyond reasonable doubt that the people had no desire for a change merely for the sake of change.

The result of the Presidential election was long uncertain and the country was threatened with civil war. On the face of the returns the Democrats had a majority in the electoral college but the returning boards in Florida and Louisiana threw out the vote of certain districts as vitiated by intimidation and counted in the Republican electors. If this were allowed to stand and certain technical questions regarding the election in Oregon were settled in favor of the Republicans, Hayes would be chosen by a majority of one. Double returns were sent from Oregon, South Carolina, Florida and Louisiana, and there was a violent dispute as to who had the right to decide which were the legal returns. The extremists on both sides opposed all concessions, the moderates demanded "a peace by agreement." It was finally agreed to refer the question of the disputed votes to an electoral commission consisting of five Representatives, five Senators and five Judges of the Supreme Court, seven were Democrats and eight Republicans. It had been intended that the odd man should be Judge Davis of Illinois, whose political affiliations were doubtful, but at the last moment he accepted an election as Senator and his place was taken by a Republican, Judge Bradley, who had given some decisions not in accordance with the theories of his party. The *Whig* utterly condemned the arrangement. It said:

"Many of its supporters acted hastily, led by their earnest desire for a settlement. No one could have doubted that the word 'compromise' would have talismanic effect upon the (Boston) *Advertiser* and other journals representing a certain type of Massachusetts politics. The word has always been all potent with them and the habit of yielding principle under pressure has not weakened since the days when the greatest intellect of the century, [Webster,] was induced by the truckling capitalists of his

constituency to compromise with the greatest of human wrongs. . . .

"The Republicans . . . in consenting to this measure, must yield the strong safeguard afforded them by the Constitution, and with a clear majority of the electoral votes for Hayes and Wheeler in the custody of the President of the Senate, they must consent to waive the victory won in spite of Democratic frauds and to have the claims of their candidates shaken up with Tilden and Hendricks in a hat to be held by such an impartial Bourbon as Judge Clifford."*

After the bill had been passed the *Whig* said: "We submit that if Messrs. Edmunds, Conkling, Frelinghuysen, Hoar and their Republican associates really thought they were doing justice to their own party they were outwitted and humbugged in a manner that would disgrace a country debating society." It demanded that the thoroughgoing Democrats who would be placed on the commission be matched by thoroughgoing Republicans. "General Garfield is one staunch man from the House, and Mr. Hale's familiarity with the Southern cases should have given him the preference over Mr. Hoar."

The *Argus,* though favoring the bill, claimed that its party had made a great sacrifice for the sake of averting civil war, that they had yielded a moral certainty for a possible uncertainty, but declared that they had shown their patriotism and their faith in their cause, that it could not believe that the decision would be against them, but that should this be the case their conduct would give them an irresistible prestige over their opponents henceforth and carry them triumphantly into power as soon as the people could be heard in the elections.

The Portland *Press* seemed to think that the commission was likely to fail but said that the people demanded that something be done. "The remedy may not be efficacious but it is better than no attempt at remedy. Sugar and water and bread pills are not disease destroyers but they calm a patient and tranquilize his mind."

In this case the remedy proved something more than a temporary tranquilizer. The commission gave its decision in favor of Hayes, the Democratic House accepted it, though some members resorted to fillibustering to prevent a decision before March 4, and Hayes and Wheeler were duly declared elected and were peaceably inaugurated.

But the Democrats were most bitter over their defeat and insulted President Hayes by styling him not His Excellency but His Fradulency and His Accidency, and the rejoicing of the Republicans was mingled with much disappointment and anger. The make-up of the Cabinet was highly unsatisfactory to the men who had led the party and fought its battles with undeviating loyalty but with no great scrupulousness as to the means employed. An ex-Confederate, David M. Key, was appointed Postmaster-General, and what was far worse, Carl Schurz, a bolter in 1872 and a man

*The law provided that the senior justice on the commission should act as its president, and the judge of longest service was Judge Clifford.

in their opinion, of fantastical, impractical notions, was made Secretary of the Interior. Mr. Blaine had a special grievance. He had given Mr. Hayes a prompt, cordial and extremely efficient support and he felt that he was entitled to name the New England member of the Cabinet. Mr. Hayes offered a seat to Representative Hale of Maine but that gentleman declined it. Mr. Blaine earnestly desired the selection of another Maine Representative, William P. Frye of Lewiston,[*] but the President refused because he was not personally acquainted with Mr. Frye. The New Englander finally appointed, General Charles Devens, was, however, the one preferred by Mr. Blaine among several considered by the President.

Even more offensive to the Stalwarts than the Cabinet appointments was the President's Southern policy. There were disputed elections for Governor in South Carolina and Louisiana and the same Returning Boards whose decisions gave Hayes his title to the presidency had decided in favor of the Republican candidates for the governorship. In both States an overwhelming majority of the property-holding and educated classes were supporting the Democratic claimants and only the presence of United States troops in or near the State Houses, which were occupied by the Republicans, prevented the instant overthrow of the carpet bag governments. President Grant had directed that the troops should protect life and property against mobs but had forbidden them to assist either claimant to the governorship. President Hayes ordered the soldiers to their barracks, a commission sent by him aided the Democratic House in Louisiana to obtain a quorum of members with uncontested seats, and the Republican Governors announced that they would no longer actively assert their rights.

The Republican press of Maine endorsed Hayes's course, though much of the approval was hesitating and cold. The Bangor *Whig,* now under the control of a radical and outspoken editor, Captain Charles A. Boutelle, vigorously attacked the President's policy. Replying to the Boston *Journal,* which had defended Mr. Hayes, the *Whig* said: "We say to the *Journal* plainly that had Rutherford B. Hayes announced during the campaign that he would appoint Carl Schurz and a Confederate Democrat in his Cabinet, he could not have carried Maine, the staunchest Republican State in the Union. Party leaders might have pleaded and party papers might have argued, but the Republican masses of the Pine Tree State would have refused to sanction the doctrine that the loyal Republicans of the North and South are unfit to furnish the members of a Republican Administration."

The *Whig* headed an editorial on the abandonment of the Republican Governor of South Carolina, "The National Shame," and declared that "The whole question of right and law has been avowedly ignored and the new policy plainly announces itself to be that whatever faction can control

[*]Mr. Blaine wished to get Mr. Frye into the Cabinet in order to help Mr. Hale succeed Senator Hamlin, by removing a probable rival.

sufficient arms and organization shall be permitted by the United States to overthrow the republican form of government and to usurp the rights of the majority of the people."[27]

When the Republican State convention met, the committee on resolutions reported a set making no reference to President Hayes. General Chamberlain moved an amendment praising him, but in moderate and somewhat ambiguous language. He was supported by Anson P. Morrill, and Nathan Farwell of Rockland. Captain Boutelle offered a substitute strongly condemning Hayes's desertion of the Republican Governors of South Carolina and Louisiana. Mr. Blaine declared that the question was not now a practical one, that the passage of either amendment would divide friends and that for the sake of charity, peace and union he moved that both resolutions be laid on the table. The motion was carried. The resolutions reported by the committee were then adopted. They demanded the protection of all citizens both abroad and at home, expressed apprehension at the Confederates' sway in the South, claimed that the Republicans in Maine had always been in favor of wise civil service reform, and announced that they took pride in the fact that during the sixteen years of Republican power every national officer in Maine had done his duty. The recollection of Peck doubtless prevented any such statement being made concerning State officers. The convention declared itself in favor of "sound currency" and of a return to specie payments and demanded that the promise of the National Government be kept in an honest, straightforward manner, and that no backward or sideway step be taken. The convention opposed grants of more land or of subsidies to railroads and any radical change in the navigation laws, especially in the matter of admitting foreign built ships to American registry. The convention declared that South Carolina, Florida and Louisiana were fairly and legally carried by the Republicans both for the national and State officers, that the title of Hayes and Wheeler was affirmed by the highest and most impartial tribunal, to whose establishment the Democrats had given their consent. "For the Democratic party now to raise the cry of fraud is both unmanly and dishonest, and if persisted in must be accepted as an indication that that party in its mad desire for power is willing to run all the hazards of anarchy and revolution." On State matters the platform was very similar to that of the preceding year. Governor Connor was renominated by acclamation.

The Democratic convention was again the scene of a sharp contest between the conservatives who wished to remain within the old lines and the radicals who desired to form a union with the discontented Republicans. Custom required the nomination of John C. Talbot, the candidate of the preceding year, and he was present in Portland where the convention was held, but the Progressives put forward ex-Governor Williams of Augusta. The names of Garcelon of Lewiston, a former Republican,

[27] *Whig*, March 12, April 12, 1877.

Haynes of Biddeford, and Andrews and Anderson of Portland were also presented to the convention. Mr. Anderson declined a nomination, saying that he considered that party usage and courtesy demanded the renomination of Mr. Talbot, but in spite of his refusal he received considerable support. The three leading candidates were Garcelon, Talbot and Williams. Three ballots were necessary for a choice. The first stood, Talbot 151, Williams 146, Garcelon 116, others 123. The second gave Talbot 197, Williams 223, Garcelon 104, others 37. On the third, Talbot had 77, Williams 282, Garcelon 101, others 10.

The platform was brief. It reaffirmed the national Democratic platform of 1876, denounced the seating of Hayes, to which it said Democrats submitted in the interests of peace, as the most monstrous political fraud recorded in history, and approved his Southern policy as a just acknowledgment of the wisdom of Democratic principles.

Marcellus Emery and one other member of the committee offered two resolutions denouncing prohibition, and favoring legislation which would be in accordance with the bill of rights in the State constitution and best promotive of temperance. Mr. Rawson of Bangor defended the resolutions in a vigorous speech in which he charged that the law was enforced in Bangor in a corrupt and tyrannical manner and declared, "I have not found a single Democrat here today who does not at heart oppose the prohibitory law in its practical workings." Scarcely had Mr. Rawson's lips closed on the last sentence of his speech when Mr. Mason of Auburn sprang to his feet. He said:

"It seems strange and unaccountable to me, Mr. Chairman, that every time the Republican party sets a trap for us, we are sure to stumble into it. If we adopt this resolution so earnestly supported, in my opinion we make the greatest mistake in the history of our party. By so doing you may get a few votes in Bangor, but you will lose thousands elsewhere. Why there are 17,000 reform men in this State, all pledged to total abstinence, of whom three-fourths are Democrats, and surely the adoption of this resolution would lose us the greater portion, if not all of their votes. In regard to the sheriff's going into your home and seizing your liquor you needn't have any there for him to seize and then all the disagreeable things spoken of will be avoided. Mr. Mason closed with a forcible appeal to the convention not to endorse the resolution, advocating the repeal of the prohibitory law, as it [the law] was a child of Republican origin, and if it was destined to die, let it do so on their hands."

The convention voted down the amendment "with much applause," and the resolutions reported by the committee were unanimously passed.

The *Argus,* which had for some time been calling for the nomination of Williams in the hope of winning many "liberal" Republicans, said, "The nomination . . . is a remarkable tribute to the eminent ability and worth of the man. Mr. Williams is a gentleman of large experience in public affairs, of high culture and possessing all the qualities that go to

make up the model citizen."[28] In evident reply to a possible charge that the convention had not nominated a Democrat, the *Argus* said: "He is a son of that old pillar of Maine Democracy, Hon. Reuel Williams, who for six years represented the State in the United States Senate, and though for some years he did not act with his party, he is now in full accord with it, and voted for Tilden and Hendricks at the last election."

The extreme conservatives, however, were hardly to be won over by such one-sided arguments concerning Williams' Democracy, and the Bangor *Commercial* in its first editorial on the nomination merely quoted claims made for Williams by his friends.

The Republican papers did their best to make the Democrats dissatisfied with their candidate. The Portland *Press* said: "Hon. Joseph H. Williams is a gentleman of unexceptionable standing, wealthy, aristocratic and cold. . . . This new Democratic device to draw away discontented Republicans by nominating a respectable gentleman of no party, no affiliations, and few earnest convictions, will fail as such devices have always failed in the past." The Kennebec *Journal* said: "For a party that has said so much in denunciation of bondholders, capitalists, railroad men, as the Democratic party has, the nomination is an astounding one, as Mr. Williams is all these. The Democrats had better left him in his retirement to clip coupons."

There was a third ticket in the field, the Greenbacks nominating Henry C. Munson. The party had polled only 520 votes the year before and the *Whig* remarked that an Associated Press reporter had wasted time and newspaper space in telegraphing a report of the Greenback convention, "as the party is hardly large enough in this State to be made the subject of a good joke." The campaign, however, showed that the party was something more than a joke and the Republicans issued a circular stating that the election of Munson was regarded as impossible by his warmest supporters, that a Republican who voted for him voted for Williams and asked, "Is there a Greenback man in the State who desires the election of Mr. Williams?" The *Argus* obtained a copy of the circular, quoted it, and with a hope of winning the more conservative Republicans gleefully remarked: "It will be seen that this is a direct bid for the Greenback vote on the ground that Connor is a better Greenbacker than Mr. Williams."

The campaign was a quiet one and the vote comparatively light. Connor led Williams by somewhat over 11,000, the official returns giving Selden Connor 53,585, and Joseph H. Williams 42,247; there were 5,291 Greenback ballots. The *Argus* declared that the Democrats had done very well for an off year. It admitted, however, that the result was a triumph for Blaine, said that the Hayes Republicans had no good, manly, outspoken leader, and that apparently Blaine would manage the party all his life, or until he ran it into the ground. Prohibition feeling had contributed to

[28] *Whig*, Aug. 16, 1877.

Republican success. The Belfast *Journal* said: "The (Democratic) State convention did its work well. But scarcely had they adjourned when the miserable rum issue, which the convention had put its foot upon, was revived to create disorder and division." The *Whig* declared that for a year with no presidential or congressional elections, and when there had been no meetings or speeches, the result was a great triumph for stalwart Republicanism.

Chapter XXI

GREENBACK MOVEMENT—DISPUTED ELECTION

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The campaign of 1878 in Maine was fought on a new issue, that of Greenbackism. The hard times following the panic of 1873 had caused a great cry for more money. The government was preparing to resume specie payments on January 1, 1879. It was claimed that this would make money harder to get, and a demand arose in many parts of the country for a postponement of resumption and the issue of greenbacks to a large amount. Maine, situated at the extremity of the Union, often feels great movements late, and for her the greenback wave reached its height when it was receding in other States. The chief propagator, or perhaps one should say propagators of Greenbackism in Maine were Solon Chase, of Turner, and "them steers."

Before the Civil War, Mr. Chase had been a Whig, then for a time he acted with the Democrats. During the war he was twice elected to the State Legislature by the Republicans. He supported Andrew Johnson and was appointed by him a collector of internal revenue, but after holding the office for about six months was obliged to vacate it because the Senate would not confirm his appointment. He then returned to the Democratic party. In 1875 he was a delegate to the Democratic convention and offered a resolution in favor of soft money, which was voted down by a large majority.

Mr. Chase then established a Greenback paper and helped form a Greenback party, which in 1876 nominated Almon Gage for Governor and polled 520 votes. In 1877 a much better showing was made, the Greenbackers polling over 5,000 votes. Their success was largely due to Mr. Chase's own efforts, aided by the same circumstances which made for Greenback success throughout the country. "Uncle Solon," as Mr. Chase was often called, drove over the State in an ox team, telling the farmers how they had been abused and plundered by the money power. Pointing to "them steers" he would explain that they had cost him $100, and that he would be glad to sell them for $50. Mr. Chase was a clever man, whose appearance and language were precisely such as to appeal to the farmers. To many of his opponents his manners seemed those of a demagogue, and his arguments those of a simpleton. But he was clearly acquiring great influence, and the Republicans were much alarmed. Many of them urged that some concessions be made, but others insisted that the party should stand firm for sound money, and this view prevailed. The convention declared that there must be no steps sidewise or backward in the matter of specie payments, and denounced a fluctuating currency.

Although Governor Connor had served the customary three years, he

was renominated without opposition. It seemed the safest thing to do. Apparently other names which had been suggested had met with small response from the people. But if there was little enthusiasm there promised to be no lack of candidates, there was rivalry between the eastern and the western parts of the State, and the managers probably felt that the party had a hard battle before it, and that it would be dangerous to go into the fight with any faction disappointed and sore. All or nearly all could unite on Connor without serious mortification, and accordingly he was nominated.

The Republican convention met late. The Greenbackers and the Democrats had already unfurled their banners and placed their candidates in the field. The Greenback convention met on June 4. They declared their opposition to every measure looking to the resumption of specie payments and to the issuing of government bonds, and demanded that the money hoarded for resumption be used to pay outstanding bonds. They, however, denounced "the red flag of communism imported from Europe which asks for an equal division of property." They also called for biennial sessions of the Legislature, and the abolition of imprisonment for debt. For Governor the Greenbackers nominated Joseph L. Smith, a successful lumber man of Old Town. The Kennebec *Journal* made the very pertinent remark that Mr. Smith was a bondholder, that it made no objection to him on that account if he obtained his bonds honestly, which it supposed he did, but that it would like to know how Greenbackers could honestly vote for such a bondholder and coupon clipper.

The Democratic convention met on June 18. They declared against the further issue of bonds which were privileged in matters of taxation. On the financial question they advocated one currency for all, which should be redeemable, and stated that they were opposed to "the present national banking system," and that they favored "the gradual substitution of greenbacks for national bank bills." They declared themselves in favor of biennial sessions of the Legislature, and of the abolition of the Council. For a candidate, following the example of the Greenbackers, they chose a convert, Dr. Alonzo W. Garcelon, of Lewiston. He was nominated on the first ballot by a vote of 220 to 119 for various other candidates. The leading unsuccessful candidate was F. W. Hill, of Exeter, who received 49 votes.

Alonzo Garcelon was born on May 6, 1813, at Lewiston, Maine. He graduated from Bowdoin in 1836, and from the Ohio Medical College in 1839. He was hospital surgeon of Maine in 1861, and chief surgeon in 1864. He had served in the Maine House and Senate, and was mayor of Lewiston in 1871. In 1868 Dr. Garcelon, who had formerly been a Republican, accepted the Democratic nomination for Congress, but was defeated by Samuel P. Morrill.

The Greenbackers made a vigorous campaign. Solon Chase and his steers were much in evidence. The Republicans, with the exception of

Alonzo Gauclon

some of their newspapers, did little until early in August, then they made considerable effort, but it was too late to save the day; indeed, in the state of the public mind it is doubtful if anything could have saved it. For the first time since 1855, the people failed to elect a Governor. The official count gave Connor 56,554 votes, Garcelon 28,208, Smith 41,371, scattering 36.

The Senate stood: Republicans, 20, Greenbackers 11. The House contained 65 Republicans, 61 Greenbackers, 15 "sound money" Democrats, and 10 "fiat money" Democrats. The Greenbackers and Democrats united in selecting Smith and Garcelon as the two candidates from whom the Senate must choose a Governor. The Republican minority voted for Connor, and Frederic Robie, of Gorham, who had received 71 votes, enough to make him the fourth constitutional candidate. The Republicans had lost the prize, but it was still in their power to bestow it, for they controlled the Senate. There had been some negotiations with Smith. He appears to have offered to say nothing on the financial question in his message, and to take strong Republican ground in the matter of the suppression of the Republican vote in the South. But a rumor of the proposed arrangement became public, and some Greenbackers, angered at this desertion, threatened to join the Republicans in sending up the name of Connor. Smith now told the Republicans that he must mention the financial question, but outlined a treatment which they might regard as practically harmless, though unsound theoretically. The Republicans, however, finally decided to elect Garcelon rather than Smith. They regarded Garcelon as a weak man, not firm on the money question, and one whom the Greenbackers could use, but throughout the country he was believed to be a hard money Democrat, and rather than the story should go abroad that Republicans had rejected such a man for a Greenbacker, it was decided to make Garcelon Governor. Accordingly, when the day of choice came, all the Republican Senators voted for him and he was duly elected.

The Greenbackers and Democrats generally acted together, but the parties had not united, and in the summer of 1879 separate conventions were held for the nomination of candidates for Governor. The Greenback convention met on June 4, at Portland. It had been planned that Solon Chase should proceed from the railway station to the city hall in his war chariot, an ox-team drawn by "them steers," but this part of the program was cancelled on account of rain. There was, however, no lack of excitement. Mr. E. N. Dingley says, in his life of his father, that the convention was "one of the most remarkable revolutionary and tumultuous political assemblies ever held in Maine." The *Whig* headed its account "Yesterday's Circus in Portland."

The convention was called to order by Charles A. White, the chairman of the State committee, who was also State Treasurer. His speech was more appropriate to the first position than the second. He made a bitter attack on the Secretary of the Treasury, calling him John Sherman

the Jew, and declaring that he would never be satisfied till he had reduced the masses to poverty. The resolutions reported by the platform committee were of the usual Greenback type. They attacked the alleged increase of the bonded indebtedness of the country, and made the convention state "that we favor the unlimited coinage of gold and silver, to be supplemented by a full legal tender paper money sufficient to transact the business of the country." Nelson Dingley pointed out in the Lewiston *Journal* that the convention did not say whether the paper money was to be redeemable in coin, the matter being left uncertain so as to win the Democrats without affronting the Greenbackers. The money planks had not been put at the head of the resolutions, and Solon Chase moved that they be placed there. There appeared to be a suspicion that something wrong was being smuggled into the platform. Mr. Dingley says: "Everybody was mad. For the first time in history, it is said, Solon Chase violated one of the commandments."[1] The *Argus* in its account of the convention said that "once, just as the disorder grew fairly terrific, Chandler's band struck up the 'Angel of Peace,' and a comparative quiet was restored."

For Governor the convention renominated Mr. Smith. Probably a majority of the delegates preferred Solon Chase, but the leaders thought that his nomination would not be wise. They promised to send him to the United States Senate, and Mr. Chase, who had no particular desire for the governorship, resolutely refused to be a candidate for that office.

The Republican convention met at Bangor on June 2. There was considerable uncertainty as to who would be the nominee. The candidate who at first commanded the greatest support was W. W. Thomas, of Portland, later Minister to Sweden and Norway for fifteen years, the longest period of service as minister at a single post of any American diplomat. Mr. Thomas was the special candidate of the younger men of the party, and the older leaders were said to feel that he had pushed himself forward instead of waiting, as he should have done, to be advanced at the proper time by his seniors. Mr. Thomas was from Portland, and though this gave him a strong local following, it was perhaps a disadvantage, for the East was restless, somewhat disaffected, and earnestly demanding that its claims be recognized. The *Argus* stated that the night before the convention, J. H. Manley, a kind of vice-manager of the party under Blaine, Llewellyn Powers, of Houlton, who had been a Representative in Congress and who was a very influential politician, and other leaders, had come out of a committee room declaring that the nomination of an eastern man was necessary to revive or rather resurrect the party in that section. On the morning that the convention met, the *Whig* pointed out that in twenty-five years the Republican nomination for Governor had gone to Kennebec or west of Kennebec, twenty-two years, and respectfully submitted "that good feeling, sound justice and the highest expediency require that the East shall have the candidacy this year if the East shall offer a good man."

[1]Dingley, "Dingley," 149-150.

But could the East agree on any man, good or otherwise? At a meeting of the delegates from the congressional district made up of Penobscot, Piscataquis and Aroostook counties, it was found impossible to unite upon a candidate. Lyndon Oak, of Garland, was mentioned, but expressed himself as unwilling to stand. "At this point," said the *Whig*, "Mr. Ham, of Corinth, a worthy farmer and a delegate, in a very earnest speech presented the name of Mr. Davis. On an informal ballot the votes were found to be divided between Mr. Davis and Hon. Eugene Hale. It was then determined, as only a part of the delegates had been present, to present the name of Mr. Davis to the convention on behalf of his friends." Mr. Hale was also an eastern candidate, coming from the congressional district containing Hancock, Waldo and Washington counties. Besides Messrs. Thomas, Davis and Hale, ex-Governors Dingley and A. P. Morrill were brought forward as candidates. The former gentleman refused to allow the use of his name, but Mr. Morrill received considerable support in the convention. The first ballot stood: W. W. Thomas, 303; D. F. Davis, 245; Eugene Hale, 245; Anson P. Morrill, 194; W. W. Virgin, 179; scattering, 18.

The chairman of the convention was F. A. Pike, of Calais, who had supported Greeley in 1872 and had run that year as an independent candidate for Congress against Eugene Hale. But in 1879 reconciliation was the watchword, and the State committee had chosen Mr. Pike to preside over the convention, Mr. Hale urging his selection on account of his "very eminent qualifications." Mr. Rounds, of Calais, in behalf of the Washington county delegation, now presented the name of F. A. Pike as a candidate for Governor.

The second ballot stood: Davis, 430; Thomas, 333; Hale, 219; Virgin, 62; Pike, 39; scattering, 88. The names of Morrill and Virgin were then withdrawn, and on the third ballot Davis was nominated by a vote of 844 to 174 for Thomas and 23 scattering.

The news of the nomination of Davis was received in much the same manner as that of the nomination of Hunton had been exactly fifty years before. The Lewiston *Journal* said: "The more it is considered, we are satisfied public opinion will concur in the wisdom of the nomination. To be sure, Mr. Davis is a comparatively young man, about thirty-five years of age, and therefore not so well known in the western part of the State as some older man would have been. But the fact that he has not been so prominent in public life as some older men, will be an element of strength rather than weakness, with the popular demand for a new man fresh from the people. The young men of the State will feel honored in the selection of a nominee from their ranks. Neither is Mr. Davis without public experience. He has served several terms in the Legislature with distinguished success, and was regarded as one of the clearest-headed and most eloquent members of both House and Senate. At the bar he has already won a reputation for ability and good judgment, rarely attained by so young a man."

The *Argus* quoted most of this rather apologetic endorsement with the comment: "The *Journal* would have made itself plainer and have said the same thing if it had worded the paragraph like this: 'Mr. Davis is a young man who has never done anything worth speaking of, but thank God he has not got a record'." It also perpetrated the following "Limerick":

"Now here's to Daniel F. Davis,
The Hamlin-Blaine *rara avis*.
Only Hamlin and Blaine,
In the whole State of Maine,
Knew there was a Daniel F. Davis."[2]

The Democratic convention met at Bangor on July 1. Governor Garcelon was renominated by acclamation. The *Whig* asserted that it had been intended to nominate Madigan, of Aroostook, or Watts, of Thomaston, but that Garcelon refused to withdraw, and that, fearing a split and a scandal, the leaders decided to give the Governor the usual renomination and to conceal the opposition by avoiding a formal ballot. The platform declared in favor of the free and unlimited coinage of silver and of a currency of gold, silver and paper, to be kept at par with coin at all times. The committee on resolutions had said nothing about prohibition, but one of them offered a resolution prepared by that staunch anti-prohibitionist, James F. Rawson, of Bangor, in favor of a local option license law. This caused much excitement and confusion, but at last a vote on adding Mr. Rawson's plank was taken by a show of hands and the motion was defeated by a great majority.

The campaign was an extremely hot one. There was a general understanding that Smith was the real anti-Republican candidate, and that the nomination of Garcelon was little more than a form. In many districts the Greenbackers and Democrats coalesced and a "Fusion" ticket was nominated. It was said that Eben F. Pillsbury had agreed that Smith should be Governor, and that in return Smith had promised to support him for the United States Senate. The Republicans did their best to make the Democrats and the Greenbackers believe that each was being sold out by the other. In this they had some success. Mr. White, the chairman of the Greenback committee, resigned his position, being dissatisfied, it was claimed, with the way the Democrats were annexing the Greenbackers. Two newspapers went over to the Republicans. That leading Democratic paper, the *Republican Journal*, of Belfast, now became "Republican." The *Journal* had been established in 1829 and had retained its old name, although the founding of a new Republican party had made it extremely inappropriate. During the Civil War it had acted with the Copperhead wing of the Democratic party, but its editor, Mr. Simpson, now admitted that his past action had often been mistaken, declared that there was no excuse whatever for the stand which the Democrats had taken on the financial question, and announced that he could no longer affiliate with them. The

[2] *Argus*, June 24, 28, 1879.

Aroostook Valley Sunrise, which had joined the Greenbackers the year before, returned to its old allegiance, the owner frankly confessing that the resumption of specie payments, the returning prosperity of the country and the conduct of the Greenback-Democratic Legislature, had convinced him of his error in deserting the Republicans.

There was much stump speaking. Solon Chase and "them steers" went up and down the State with great effect. Many Greenbacker speakers were brought to Maine from other States. Wendell Phillips wrote to Solon Chase expressing his sympathy with the Greenback movement. For the Republicans, Messrs. Hamlin, Blaine, Frye, Hale and Dingley spoke continually. That uncompromising stalwart, Zachariah Chandler, came to Maine, as did General Garfield, the Republican leader in the House of Representatives, and Senator Allison of Iowa, then only beginning his long service in the United States Senate, but already known for his grasp of financial problems. Secretary John Sherman, the hero of resumption, spoke at Portland, Lewiston, Augusta, Waterville and Bangor. Another man whose fame was still to come, visited Maine to preach the gospel of sound money. The *Whig* of August 22 mentioned that "the Hon. Wm. McKinley, Jr., of Ohio, delivered an able address at Warren, Tuesday evening. The meeting was large and enthusiastic."

As in the previous years, there was no election by the people, Mr. Davis' vote just falling short of a majority. The official count gave Davis 68,967 votes, Smith 47,643, Garcelon 21,851, Bion Bradbury 264, scattering, 81.

At first there was no doubt that the Republicans had carried the Legislature and that Daniel F. Davis would be the next Governor of Maine. The *Whig* rejoiced, claiming "a remarkable and signal victory." It said: "It has taken two or three years in other States, and some much longer, to secure such a reaction against demagoguism." The *Argus* expressed surprise at the result and claimed that it was due to intimidation and bribery. It soon became evident that such talk was not merely the usual angry excuse of beaten and disappointed men. The Maine Democrats had neither forgotten nor forgiven what they regarded as Hayes' theft of the presidency, and one of their leaders told a Republican, "you cheated us in the count for President, but we have the returning board here in Maine." There was a rumor that definite charges of bribery would be made, and the Governor and Council asked to decide that certain Republicans elected to the Legislature on the face of the returns were not entitled to their seats. The constitution provided that specified officers of towns and plantations should make a list of votes in open meeting, and that copies duly attested should be sealed in open town meeting and sent to the office of the Secretary of State. Similar provisions were made in regard to the votes of cities. It was further provided that the Governor and Council should examine the lists, and twenty days before the first Wednesday in January should issue a summons "to such persons as shall appear to be elected, to

attend and take their seats. But all such lists shall be laid before the House of Representatives on the first Wednesday of January annually, and they shall finally determine who are elected."

It was manifest that the constitution gave the Governor and Council no authority to go behind the votes actually cast and count out Republican candidates on the ground of intimidation and bribery, and this plan, if such had really been formed, was quietly abandoned. But it was reported that the same result could be secured in another way. The town officers were seldom lawyers, often they were comparatively uneducated and ignorant men, and it was by no means unlikely that many had failed to comply exactly with the directions of the constitution in regard to the manner of recording and reporting votes. It was rumored that the Governor and Council would avail themselves to the utmost of these errors, that the Republicans would be given no opportunity to correct them, as a law of 1877, amended in 1878, allowed them to do, until the Governor and Council had issued the summonses to the persons who appeared to them to be elected, after which they would claim that their powers in the matter were exhausted. The Legislature rendered Fusion by these means would choose Smith Governor, and elect Fusionists to the Council and to the other executive offices. The Republicans alleged that the question at issue was not merely who should hold a few State offices for a year, but that arrangements would be made for a similar fraud in 1880; that another stolen Legislature would elect a Democrat to succeed Senator Hamlin, whose term would expire on March 4, 1881; and that the present Legislature would take the right of choosing presidential electors from the people and vest it in the Legislature of 1881, which, after being duly purged, if necessary, would choose Democratic electors for President.

As time passed and the Governor and Council took no action on the returns, anxiety increased. It was understood that there would be a meeting of the Council on November 17, and Mr. Blaine requested the State committee, of which he was chairman, the committee for the succeeding year, and various leading Republicans, to meet him at Augusta. Among those who came in response to his call were Senator Hamlin, Congressmen Reed and Lindsey, and ex-Governors A. P. and L. M. Morrill, Washburn, Perham and Dingley. A committee of sixteen, one from each county, headed by ex-Governor Dingley, proceeded to the council chamber. On reaching the ante-chamber they were informed that the Council would not be in session that afternoon, but Governor Garcelon admitted Mr. Dingley for an unofficial and private conversation. Mr. Dingley then returned to his committee, and a sub-committee consisting of Mr. Dingley, Congressman Lindsey and L. A. Emery, formerly Attorney General and later Chief Justice of Maine, waited on the Governor. Mr. Garcelon informed them that opportunity would be given for examining the returns, that the twenty days allowed for this purpose by statute would not be considered to have begun until the Council had reported its tabulations, and that this rule

would be entered in the record of the proceedings of the Council. In conclusion he said, "Ample opportunity will be given to correct any errors in the returns which can be corrected under the statutes. If any returns are fatally defective you must take the consequences."

A meeting of the Council was held and they approved the report of their committee on elections, and voted that the twenty days allowed for inspection of the returns should begin to run on that day. The next day two Republican candidates for the Senate applied by themselves and by counsel for permission to examine the returns, but received no answer. The Republicans then informed Chief Justice Appleton that they should apply for a mandamus directing the Governor and Council to allow access to the returns, and Judge Appleton prepared to assemble the whole court that he might have the advice of the full bench in so important a matter. But meantime the Governor and Council gave notice that they would be in session from December 1 to December 13 for the purpose of examining the returns, and that candidates claiming irregularities would have reasonable opportunity to be heard by themselves or counsel. The Republicans then stated that they would not press for an immediate decision on the application for a mandamus, but would wait until the first regular court, which would be held by Judge Virgin at Fryeburg on December 2.

Various attempts to examine legislative returns were made by Republican candidates and their counsel without success. On December 10 and 11 the question of issuing a mandamus was argued before Judge Virgin, the hearing, by mutual agreement, being held in the Senate Chamber at Augusta, instead of at the court house in Fryeburg. The writ was sought against Mr. Gove, the Secretary of State, and the legal custodian of the State papers. Mr. Gove replied that the returns were not in his possession; his counsel also argued that the law of 1877, which allowed correction of the returns, was unconstitutional, that the applicant had no right to see the returns, nor had the Governor and Council the right to make the corrections desired, and that therefore there was no cause for issuing the writ. Judge Virgin, after privately consulting with Judges Barrows and Symonds, rendered a decision in favor of the defendant. He held that the applicant had a constitutional right to examine the returns at a proper time and in a proper manner, and that a mandamus might issue against the Secretary of State, but that it was the duty of the Governor and Council to examine the returns to discover who appeared to be elected, that their right must take precedence of the applicant's right of examination, and that the time necessary for the execution of the duty of the Governor and Council was a matter of executive discretion and therefore not within the jurisdiction of the court. The decision was of little practical importance, for the Democrats had completely given way in the matter of the secrecy of the returns, and from the day of the hearing they had been open to examination.

On December 17 the Governor and Council announced the result of

their examination of the returns. The reports of the local officers gave a Republican majority of seven in the Senate and twenty-nine in the House. The Governor and Council found a total Fusion majority of seventeen, with twelve vacancies. In all cases of change the action was taken on merely technical grounds. Five Representatives and one Senator lost their seats because of an alleged failure to sign or to seal the returns in open town meeting; seven Representatives and two Senators were counted out because returns were not signed by a majority of all the aldermen; five Representatives and three Senators were denied an election because the Portland officials returned certain votes as scattering, the constitution requiring the names of all persons voted for to be given, with the number of votes received by each. In no case could the failure to credit any person with these votes have affected the result. There were five Representatives lost to the Republicans because the candidate's name was not given in full, but with initials, and these votes were held to be for a different person. A Representative was counted out on the ground that his ballots had a distinguishing mark and were therefore illegal; another lost a seat because it was alleged that the votes of the town of Cherryfield were illegal by reason of one of the selectmen being an alien. One Representative lost his seat because of an alleged double return, another because it was alleged that the signatures of three selectmen were all written by one of their number. Two Representatives were refused seats bcause of a wrong spelling of their names, and two because the town clerks did not attest the returns. The Republicans might have admitted that the latter was a fatal defect in itself, but claimed that the clerks should have been allowed to correct the papers.

The excitement now became intense. Meetings of protest were held throughout the State. The country districts were even more stirred than the cities. Many of the clergy denounced the fraud, as they deemed it, which was being perpetrated. The *Whig* of December 29 reported that "Rev. H. W. Tilden, pastor of the Baptist church in Augusta, lectured Saturday evening on the great crime. He wished to see everything possible done to avert the danger. The question was, shall we be denied the right of suffrage. But he said, no, never! At whatever cost the people knew their rights and would never yield. Mob violence would settle nothing whatever, but open, systematic war would if it must be had."

Governor Garcelon was a citizen of Lewiston, but ministers of the city likened his conduct to that of one who steals a pocketbook. The chairman of the Council, John B. Foster, was a resident of Bangor. Some of the leading clergymen of the city, including Professor Sewall, of the Bangor Theological Seminary, and Mr. Foster's own pastor, Rev. Dr. Field, denounced the action of the Governor and Council.

The Democrats held great meetings which defended the course of the Governor and Council. Mr. Garcelon said that he was prouder of his action in the matter of the count than of anything he ever did in his life. The Democrats argued that they had acted only as the law required. The

Argus said: "There is probably not a case passed upon by the Governor and Council which any respectable lawyer would not say, taken by itself, was decided rightly according to law. It is only when so many fatally defective returns are found that any are impelled to protest against the sweeping result. But is this really any argument against obeying the law? On the contrary, is it not one imperative reason for enforcing the law, lest otherwise we might come to have a Legislature so illegally constituted as to render of doubtful validity the laws it might pass? The defects exhibited by the returns this year are simply astonishing. It is high time for election officers to have an effective administration, to attend to their duties properly, and for towns to see to it that they have officers who know their duties and are careful to perform them as the constitution requires."

The Democrats proclaimed with great glee that they were following Republican precedents. They made especial use of the Burleigh-Madigan case. By the returns from Aroostook for the election of 1877 it appeared that Parker P. Burleigh had been elected Senator from that county. His opponent, Edmund C. Madigan, challenged his election, on the ground, among others, that Mr. Burleigh was not eligible, not being a resident of the county. Four of the councillors wished to give Mr. Madigan a certificate of election for this reason, Governor Connor and three councillors believed Mr. Burleigh to have been legally elected. A compromise was agreed to and the facts were reported to the Senate without a decision in favor of either party. Here was a precedent for considering matters which did not appear on the face of the returns. The action of the Senate also gave great comfort to the Democrats. The Republicans counted in Burleigh by throwing out the vote of Van Buren because the list of voters was not attested by the clerk of the plantation, although the envelope in which the returns came had a blank attestation as to its contents which was duly filled in. Undoubedly the will of the people of Van Buren had been defeated by Republicans just as the Democrats were doing in numerous instances in 1879, but the Republican members of the Senate committee on the case had quoted with approval an opinion of the Maine Supreme Court stating that "the design of a republican government is not merely that the people should express their will at the polls, but that it should be legally and constitutionally expressed."

To complete the joy of the Democrats, the second name signed to this report was that of Daniel F. Davis. The Democrats also asserted that in 1862 the Senators elected by the people of Washington county had been counted out by a technicality and that for twenty years many Democratic members of the Legislature and county officers had lost their seats, but that no Republican had been deprived of his. Henry M. Pishon made affidavit that he had been a clerk in the office of the Secretary of State for eight years and that at the request of councillors he had often sent returns back to town clerks to make specified corrections. Mark Harden, who had been messenger to Garcelon's Council and had held the same position

in four Republican administrations, swore that he knew that the Republicans had often sent returns back for correction, that omissions had been rectified without even sending back the returns, and that a check-list had been purposely lost in order to throw out the vote of a plantation.

The Republicans did their best to distinguish between the Burleigh-Madigan case and those of 1879, and said that if in single instances Republicans had reversed elections on technical grounds, they had never done this when it would have changed the whole political complexion of the State.[2]

Men of both sides manifested an intention to use force. The warlike speech of Rev. Mr. Tilden has already been quoted. More serious was a statement attributed to Hannibal Hamlin in an interview with a representative of the Boston *Traveller*. He was reported to have stated that until the act was done he could not believe that the Democrats would resort to so revolutionary a proceeding as a count out. "If they do usurp the laws of the State, I favor going to the State House and take the revolutionists by the nap of the neck and pitch them into the stream, and I will be one to go and assist."

The Democrats answered Republican threats and even mere criticisms with cries of treason. Eben F. Pillsbury, who had been a copperhead in the war and who was suspected of inciting or at least encouraging the resistance to the draft at Kingfield, now in the columns of his paper, the *Standard,* had much to say of loyalty.

In Penobscot county Benjamin H. Mace had been elected sheriff for the ensuing year. Not waiting until his term began, on December 26 he issued a notice that he should consider it among the duties of his office "to present before the grand jury at the coming criminal term, for indictment all those who may participate in any political mob or commit the overt act of high treason, and also those who may incite to such felonies, whether they are professed ministers of the gospel or editors of political papers." The future sheriff had doubtless been excited by the events of the preceding day. On Christmas morning the Governor had sent a clerk in the adjutant-general's office, named French, with a verbal order to the commander of the State arsenal at Bangor to deliver to him a large quantity of arms and ammunition. Rumors of the order got abroad in Bangor and caused such excitement that the Mayor and several prominent citizens went to the Penobscot Exchange Hotel to see the adjutant-general, who was reported to be stopping there. Not finding him, they proceeded to the arsenal, which was locked, but from persons near by it was learned that two teams loaded with guns and ammunition had just left for the depot. Returning at once to the city, they found the teams stopped on Kenduskeag bridge by a great crowd. Mayor Brown informed French that he could not guarantee the safety of the property, and that French must take the

[2] Perhaps this was for the reason that Rev. Mr. Spurgeon gave for his own denomination's never having been guilty of persecution, they never had the chance.

responsibility of further provoking the people. Mr. French was unwilling to do this and ordered the arms back to the arsenal.

The Republicans were in a difficult situation. They felt that the Governor meant to bring force to the aid of fraud, and that his action directly tended toward civil war, but he had an undoubted legal right to move the State arms, and public opinion would condemn those who should first resort to violence. Indeed, the Republicans felt that the Governor might be trying to provoke them to disorder for this very reason. In Lewiston a "dodger" was got out headed "Riot in Bangor." Eben F. Pillsbury issued a *Standard Extra,* and headed his account of the affair of the arms, "Open Rebellion in Bangor." The Bangor Republicans, therefore, determined to pursue an entirely peaceable course. A letter signed by ex-mayors and other prominent citizens was sent to the Governor protesting against his order, but stating that "we shall endeavor to the extent of our ability, to prevent any action which should (would?) impair our good fame as law-abiding citizens." An executive committee issued a similar statement urging the people not to resist any lawful movement of State property by the Governor.

In Augusta, efforts were made to induce Mr. Garcelon to abandon his purpose of bringing arms to the State House. The mayor of the city, Mr. Nash, assured him that he had enrolled two hundred special policemen, good men of different political parties, and that they could and would preserve the peace, and urged that the calling out of the militia or the gathering of arms would disturb the public mind, that if one side should arm the other would do so also, and that with both parties armed a conflict might ensue which all would deeply deplore. On the following day an Augusta committee of public safety called on the Governor and expressed their concurrence with Mayor Nash and their readiness to support him, and begged the Governor not to move the arms from Bangor. He, however, insisted on doing so in order to test the sincerity of the people of the city in promising to obey the law. But he was understood by the committee to promise that the arms should not be brought to Augusta unless need arise.[4] On December 30, 120 rifles and 20,000 rounds of ball cartridge were, on an order from Governor Garcelon, taken from the Bangor arsenal by the direction of the adjutant-general and forwarded to the Governor at Augusta. There were large crowds in the streets through which the teams passed, and the bells of some of the churches were tolled, but no attempt was made to interfere with the transfer.

The State had not been brought in danger of civil war without earnest attempts at a settlement by compromise. Councillor Foster had been called to Chicago by the illness of a daughter. On arriving in the city he wrote

[4] The Governor afterward stated on oath that he understood that the additional policemen were Republicans, that it was feared that they would take possession of the State House and exclude the Democrats from it, and that he promised not to bring the arms to Augusta on obtaining satisfactory assurance (which he did not receive) that the new police should be composed of men of both parties in substantially equal numbers.

to the Governor that the political situation in Maine was the prevailing topic of conversation everywhere, that the action of the Governor and Council was generally misjudged, and that he was afraid that they were not fully sustained even by the Democrats. Mr. Foster declared that the Governor and Council had done perfectly right, that they had no equity powers, but that the Legislature had, and could exercise them, without reflecting in the least on the Council's action. "We fully understand (if we do not take into account the frauds which are said to have been committed in the election) that the Republicans would have had the organization of the Legislature if the returns had been legal, that equity gives them the advantage. Would it not be right and also politic, looking to the future of the party, for the Legislature to exercise that power which we did not possess, and deal equitably?"

On December 30 a letter appeared in the *Argus* written by a Greenbacker, advising that the Legislature summoned by the Governor meet, organize, and settle disputed elections before choosing State officers. He said that the moderate Republicans wished to join the Legislature, and that their number would be increased if a moderate course were pursued. The *Argus* approved this plan.

There was a natural arbiter specially provided by the Constitution of the State, which required the Supreme Court to give its opinion upon points of law and on solemn occasions, if called on by the Governor, Council, Senate or House. The Republicans were most anxious to obtain its intervention. The *Whig* had suggested that under the circumstances the court would be warranted in stating its opinion without being asked. It was proposed to have the members of the Senate request an opinion. The Greenbackers, on the other hand, would have nothing to do with the courts. Councillor Fogg's paper, the *Greenback Chronicle,* said in its issue of December 5: "Perhaps Messrs. Baker and Baker are not aware, however, that if the judges of the Supreme Court had issued a mandamus against the Governor and Council, that body would have taken no more notice of it than a mandamus issued by seven jackasses in Australia. The Supreme Court is a very august body, but it has no more power over the Governor than the ghost of Solomon." The Greenbackers probably objected to an appeal to the court, in part for the reason that the *Whig* had given against the establishment of an electoral commission in 1877, that it was exchanging a certainty for an uncertainty. Radicals seldom have great reverence for courts, which they consider unduly conservative, and all judicial authority had suffered from the action of the judges on the electoral commission each one of whom voted with his party on every vital question where there was a reasonable doubt. Some of the Democrats, however, wished the court to be appealed to. William L. Putnam, for many years the able and honored judge of the United States Circuit Court, publicly declared in favor of such a course. Many of the leading Protestant clergy of Portland, with the Episcopalian bishop at their head, requested

the Governor to consult the court. Two of his most eminent predecessors made a like request. Leading Republicans had appointed a committee with Lot M. Morrill as chairman to advise the members of the Legislature. At their desire Mr. Morrill wrote an extremely polite letter to the Governor, urgently requesting him to submit the matters at issue to the Supreme Court. He alleged that the court had always been impartial in such matters, and cited the decision just rendered by the Republican Judge Virgin against the demand of the Republicans for a writ of mandamus. In conclusion Mr. Morrill said: "I address your Excellency, not simply as an individual anxious for the peace and good order of the State, but as the chairman of a committee of the Republican party, all of whom are desirous, above all things, to avoid every possible disturbance of the public tranquility, and reconcile the popular discontent."

The Governor replied on the following day that he considered the public excitement due to "a systematic attack of vituperation and slander upon the Executive Department, not only without parallel, but without cause." He added, however, that it was the duty of every good citizen to allay the excitement as far as he was able and, referring to the request that he should appeal to the Supreme Court, he said, "Nothing would give me greater pleasure than an authoritative opinion upon points involved in the present condition of affairs, and also upon such as may be likely to arise. Please indicate the points that occur to you, which have not already been adjudicated upon, and I doubt not we may be able to secure a satisfactory solution of doubtful complications or, if not satisfactory, at least such as may be deemed authoritative."

Mr. Morrill consulted his committee and submitted a list of questions which he suggested be put to the court. In the accompanying letter he said: "When your Excellency asks me to indicate the points that have not already been adjudicated, I reply that such an attempt would be valueless and indeed foreign to the whole scope and purpose of this peaceful mode of adjustment. Your Excellency must be aware that there is oftentimes as much dispute between lawyers as to what has been adjudicated by the Court, as there is touching that which has been enacted by the Legislature. I cannot close without urging upon your Excellency the propriety of going forward in the course which in your communication you have indicated your willingness to adopt. It has never in the history of our State happened to any of its chief magistrates to have it in his power to do so much for the peace and good order of society as your Excellency enjoys today."

It was reported that the Governor would refuse Mr. Morrill's request on the grounds that the opinion of the court, if against the action of the Governor and Council, would come too late, as the Constitution required that the notices of election be issued twenty days before the meeting of the Legislature, and that if wrong had been done the (counted in) Legislature would correct it. In his account of the interview of the Augusta com-

mittee of safety with the Governor, the *Whig* correspondent wrote: "The conversation turned on the proposition to submit certain questions to the Supreme Court. The Governor said he had very hard work to read Governor Morrill's letter. His Excellency's attention was called to the fact that it had been printed in the newspapers. He said he did not read the newspapers. He should go to Portland and obtain further legal advice before deciding to submit the question." He finally determined to submit questions differing from Mr. Morrill's. The Governor's were more on matters of abstract law. Mr. Morrill's had dealt much with concrete facts, mentioning towns whose returns had been passed on by the Governor and Council. The judges promptly replied in a unanimous opinion supporting the Republican contentions at every point. The court proclaimed as a guiding principle that the will of the people should not be defeated by technicalities or the errors of officers who must of necessity be plain men.[5] It also laid much stress on the lack of power of the Governor and Council to know officially matters not stated in the returns, and declared that various constitutional and legal provisions regarding the making up of returns were directory only and that compliance with them was not necessary to the validity of the returns. It stated that the provision allowing a defective return to be amended by the record was in aid of the purpose of the Constitution and valid. The judges said that the question whether the use of verbal evidence for this purpose as provided for by another part of the law was constitutional was not before them, and that on that point they expressed no opinion.

The Democrats at first appeared stunned by the decision, but they soon rallied and determined to continue in the course they had planned. It seemed that when Governor Garcelon's term expired the State would be without a Governor, and there might follow rival Legislatures and Governors and civil war. Governor Garcelon was much alarmed lest the Republicans should seize the State House and he turned to General Chamberlain for help. The general had not accompanied the band of ex-Governors and other Republican leaders in their visit to Augusta in November, and it was reported that he had said that he had not gone because he could not see that he had any business there. The day after Mr. Morrill's appeal to the Governor to ask the opinion of the Supreme Court, General Chamberlain telegraphed Governor Garcelon, "The proposition to submit the disputed questions to the Court is eminently wise. Such a course would be honorable to you as Governor of the State, the highest officer of its peace. All good citizens would sustain you in it." He followed the telegram by a letter to the same effect. He declined a request of Mr. Blaine to get up an indignation meeting at Brunswick, saying that he thought that enough had been done to impress on the Governor the state of public feeling, that now efforts

[5]This seems inconsistent with an earlier opinion, which said: "It is to be regretted that votes are lost through the ignorance or carelessness of town officers, but the obvious remedy is to choose such as know their duty, and knowingly will legally perform it."

should be made to calm excitement, and that in no case should resort be had to violence.

The Governor wrote a personal letter to General Chamberlain, urging him to come at once to Augusta. On January 5 he issued an order constituting the various counties of the State "the first division of the militia," and placing General Chamberlain in command. He also issued the following remarkable special order: "Major-General Joshua L. Chamberlain is authorized and directed to protect the public property and institutions of the State until my successor is duly qualified." On the following day, Tuesday, January 6, General Chamberlain assumed command under the general order, and on January 8 published both orders and announced that he should act under them. General Chamberlain believed that Mr. Garcelon's measures for defense would endanger rather than preserve the peace, his special guards or police or whatever they should be called, were accordingly discharged, the arms and ammunition taken from the arsenal at Bangor were returned, and the protection of the State House was entrusted to the special police of Augusta. The General, however, took further precautions; the people were reminded that military companies could not be organized to bear arms without legal authorization, the captains of the existing militia companies were told to obey no orders that did not emanate directly or indirectly from General Chamberlain, arrangements were made with the railroads to bring troops immediately to Augusta should he order it, and with the telegraph companies to give precedence to his dispatches.

When the Legislature assembled, the proceedings in the Senate were fairly quiet. Mr. Locke, of Portland, who had been selected by the Republicans as their candidate for President, protested against the Senate's proceeding, but the secretary refused to entertain the motion. The Governor was sent for and the members, including the Republicans, were duly qualified. The Senate then organized, electing an elderly gentleman of no special note, James D. Lamson, of Freedom, president. The Republicans refused to vote for officers or accept positions on committees, but they voted on an order presented by Mr. Locke that a committee of seven be appointed to consider the election of members, and the order was passed by a vote of 20 to 18.

In the House there was much more excitement. The assistant clerk of the last House called the meeting to order. There were few Republicans officially present. Their plan was to break a quorum, and as three Fusionists were understood to have refused to assist in the contemplated "fraud" by attending, they felt that they could prevent the organization of the House. After the calling of the roll Representative Eugene Hale moved that members from the cities excluded from representation by the action of the Governor and Council be admitted. He delivered a long and able speech in defense of his motion but objection was made, and the assistant clerk declared the motion out of order and refused to put it to vote. The

Republicans refrained from further action, and the Democrats sent notice to the Governor and Council that a quorum was present and ready to be qualified. The Governor and Council appeared and the Governor proceeded to qualify the members. He then announced that 76 members, the exact number needed to make a quorum, had taken and subscribed the oaths. This announcement was received with delighted applause by the Fusionists, and with astonishment by the Republicans. Governor Garcelon said that he put into the hands of the House the opinion of the Supreme Court as well as the petition of gentlemen from certain cities claiming seats, and invoked careful consideration of the same. "Three cheers were given for Governor Garcelon, followed by prolonged hisses." The House organized and transacted certain business, Mr. Hale continually raising the point of no quorum but without success, and at 3.30 p. m. the House adjourned. The battle had been an unexpected victory for the Democrats. The Republicans had felt sure that a quorum would not qualify, and they declared that there had been fraud in the count and forgery in making up the roll.* They pointed to the fact that the highest number of votes cast in the election was 74, (on the choice of a clerk), and Mr. Hale, who had qualified under protest, that he might make motions and raise points of order, and there would be one less than a quorum. If, however, the Speaker did not vote when the clerk was elected, then there would appear to have been 75 Fusionists in the House, which, with Mr. Hale, would make a quorum.

On the following day Mr. Hale secured an amendment of the journal so as to show that no quorum had voted. The Republican Representatives now decided that they wished to be qualified, and recognizing Mr. Lamson as Acting Governor proceeded to the Council Chamber and sent for Mr. Lamson to come and qualify them, but he declined to do so for the present on the ground that he was not certain of the extent of his powers. The next day he gave a written reply stating that legal gentlemen had serious doubt whether there was such a "vacancy" in the office of Governor as the Constitution intended should be filled by the President of the Senate. Mr. Lamson concluded with the statement that being unwilling to exercise doubtful authority, he must respectfully decline administering the oaths.

The situation suggests that of fifty years before, when the National Republicans declared that Elder Hall was Acting Governor, but it needed an opinion of the Supreme Court to induce him to take the office. There was not on this occasion danger of the Democrats losing their Senate if they lost their President, but probably they wished to prevent the Republican Representatives from qualifying, and so get rid of a numerous and active minority. Almost immediately, however, each party reversed its position. The Democrats had doubtless awakened to the advantage of having one of their number in the Governor's chair, and much pressure was put on General Chamberlain to obtain his recognition of Lamson. Ex-

*A demand was made in vain that the names of the persons enrolled as taking the oath be read.

Senator Bradbury, who had behaved with moderation and had openly blamed the refusal in the fall to open the returns to inspection, now in a personal interview argued with great earnestness and force that Lamson was legally Acting Governor. Mr. Lamson made both verbal and written demands on the general for recognition. Some of Chamberlain's own friends, who were also staunch Republicans, advised him to consult one of the judges of the Supreme Court who was near at hand, and that gentleman replied that the only safe way was to recognize Mr. Lamson's claim. But the general refused. He took the ground that he had been ordered not to execute the laws, but to protect the institutions of the State, one of which was election by the people, that formal law might permit outrageous injustice which could be only redressed by revolution, and that he would recognize no Governor or Legislature without a decision of the Supreme Court in their favor; meanwhile he would keep the peace. The rule was applied to Republicans as well as Democrats. When a little later Senator Locke, who had been elected President by the Republicans of the Senate, including those deprived of seats, informed General Chamberlain that he was about to assume the office of Acting Governor, the general replied that his election was at least irregular and that he could not be recognized. Joseph R. Bodwell, the owner of large granite quarries, appeared at the capitol with some fifty of his employees, armed with pistols, but General Chamberlain induced him to promise to send them home. It is said, however, that most of them were quietly kept in Augusta.

Mr. Dingley states in his life of his father that: "Some of the members of the Republican advisory committee were in favor of a resort to arms. Mr. Blaine was among them; and he was somewhat out of patience with General Chamberlain because the latter did not use force at the outset. Thomas W. Hyde was sent by Mr. Blaine to General Chamberlain to inform the latter that the Republican leaders had decided 'to pitch the Fusionists out of the window.'" "Tom," said the general, "you are as dear to me as my own son. But I will permit you to do nothing of the kind. I am going to preserve the peace. I want you and Mr. Blaine and the others to keep away from this building."

The Republicans were not the only men who endangered the peace. There was a plot to kidnap General Chamberlain and hide him in some back town. The general discovered a plan in case of any slight violence on the part of the Republicans to burn the Blaine mansion and kill the owner.

On January 12 important steps were taken by both sides. In the morning the Fusion Legislature met and qualified Mr. Lamson as Acting Governor. The Republican "Legislature" met in a more dramatic fashion. The plan had been arranged suddenly and with great secrecy. Late in the afternoon the Republican members began dropping into the State House in little groups of two or three. Two members, Professor Young of Bowdoin,

[1]Dingley, "Dingley," 169.

and Mr. Weeks, later elected Speaker, obtained permission from General Chamberlin to use the halls. While he was writing the order, the Fusion superintendent of public buildings, Bradford F. Lancaster, rushed into the general's office, crying out that a mob was about to break into Representative Hall. In no way pacified by the assurance that the mob was composed of members elect, Lancaster declared that they should not go in and, snatching the keys from the door-keeper, ran off. At the request of General Chamberlain, Mayor Nash, who had been sent for, opened the door; the undaunted Lancaster reappeared, entered the hall with the members, and bolted with the gas lighter, but he was pursued, the lighter recaptured, and the chamber duly illuminated. The Republican members qualified before the clerk of courts of Kennebec county, elected officers, appointed a committee to prepare questions to be submitted to the Supreme Court, and, remembering that possession is nine points of the law, proceeded to hold the fort, being strengthened by a well spread lunch in one of the committee rooms. At two-fifteen in the morning the committee reported a list of questions and the House adjourned until the 17th. The Republican Senate found the doors of the chamber unlocked, walked in and organized. Mr. Locke was chosen President, and a committee appointed to consider the matter of presenting questions to the Supreme Court. The Senate then adjourned to the 17th.

The same night General Chamberlain wrote to Chief Justice Appleton that he believed that if the court would recognize Lamson he saw a way out. General Chamberlain made the matter public a year later. He said that he only meant a quasi recognition by answering the questions Lamson might put, and it was urged in the general's defense that thoroughgoing Republicans believed that it would be necessary to recognize Lamson finally, and that only at the last moment did the Republicans decide to organize the Legislature themselves and submit questions to the court. General Chamberlain's letter was published, and it may be interpreted as asking a complete, or as seeking only a partial recognition. On January 13 Mr. Lamson sent a statement to the Supreme Court that he had assumed the office of Acting Governor. On the 15th he directed Sheriff Libby of Kennebec to dismiss his deputies who were guarding the public buildings, but the sheriff, who was a Republican, refused. On the 16th the Fusion Legislature, which had voted in additional members who claimed the seats of certified Republicans, elected Smith Governor, chose other State officers and inaugurated Smith. The same day Lamson gave General Chamberlain a written guarantee that the Republicans could meet on the following afternoon in the chambers of the House and Senate without interference. On this day also the Supreme Court replied to the questions of the Republican Legislature by a decision in its favor. The judges stated that the opinion as to the method of counting the returns asked for by Governor Garcelon was an authoritative determination of the law, which it was the duty of the Governor and Council to obey. They declared that a

law allowing only members with certificates from the Governor and Council to take part in the organization of their respective houses, was clearly unconstitutional because it aimed to control the right of each House to determine the election of its members by imposing on it until there had been a full organization a majority fixed by the Governor and Council. They further declared that if improperly certificated members were needed to make a quorum and if a protest was made against their taking part, the organization of the House was illegal and void. Referring to a previous decision of the court that the Senate could organize with less than a quorum, the court held that the ruling was proper when by reason of a requirement of an absolute majority less than a quorum might have been elected, but that the decision could not apply when a quorum had been chosen and that if less than a quorum voted for Speaker and there was nothing on the record to show that a quorum was present and acting, the election was void. They decided that the oath of office of Senators and Representatives might in case of necessity be administered by any magistrate, although the constitution requires it to be taken before the Governor and Council since the essential matter is the oath and not the person administering it, that a President of the Senate chosen by virtue of improperly certificated members cannot become Acting Governor, because he was never properly chosen President of the Senate; that circumstances might exist rendering an organization like that of the Republican House and Senate legal, and that if the returns of the vote for Governor were inaccessible to the Legislature they might substitute certified copies of the record.

On Saturday, the 17th, the Republican Legislature assembled at the usual places of meeting, the House sent to the Senate the names of Daniel F. Davis and Bion Bradbury,[1] and the Senate at once elected Mr. Davis Governor. A council was also elected. In the evening a joint convention was held and Mr. Davis qualified. General Chamberlain recognized him as Governor, and announced that he considered his special duties at an end.

The Republican Legislature met again on Monday, and the matter of electing an adjutant-general and a treasurer was taken up. The Republicans found themselves in an embarrassing position. They had nominated as adjutant-general, Major Gallagher, the pension clerk in the adjutant-general's office, and for treasurer, John W. Folger, a clerk in the Treasurer's office who, though a Fusion appointee, had acted with the Republicans. But neither were men of weight, and there was a general feeling that in the present circumstances stronger men should be chosen. A caucus was held before the meeting of the Legislature, and a committee was appointed to confer with Major Gallagher. They reported that he had agreed to leave the matter in the hands of his friends. It was proposed to postpone action till the evening. But at another caucus, Mr. Hale said that there were grave reasons why the adjutant-general's office should be

[1] Bion Bradbury had received 264 votes, thus making him a constitutional candidate.

filled that day "by some gentleman of responsibility and who is in full accord with the branches of government. We are on the verge of events of importance," he said, "and in the case of anything happening between now and night, it was necessary to have a permanent head in the adjutant-general's office."[9] The caucus reconsidered its nomination and by a vote of 79 to 8, General George L. Beal was elected by the Legislature. No treasurer was chosen. Another most important question was, Should the Fusion Legislature be allowed to meet in the State House? They had adjourned to four o'clock Monday afternoon. The Governor decided to exclude them from the State House, and when they appeared about four o'clock they found the iron gates closed and guarded by police. On demanding entrance they were refused by Mayor Nash in the name of Governor Davis, as there was no business being transacted in any of the departments. "Speaker" Talbot mounted the coping surrounding the grounds and called the "House" to order; the "House" heard the journal read, and adjourned to meet at ten o'clock the next morning. President Lamson then mounted the coping and called the "Senate" to order, and that body adjourned to the same time and place as the "House." The meeting was duly held and there was much talk but little action.

The Republicans elected a State treasurer. Their Legislature recessed for an hour that a caucus might be held, and Folger voluntarily withdrew that a man of greater age and more financial experience might be chosen; the caucus passed a resolution complimenting him in the highest terms, and nominated Samuel A. Holbrook, who was, of course, elected.

On Friday, the 23d, Governor Davis became convinced that the situation was changing for the worse. The Fusion Secretary of State, deputy-secretary under Garcelon, had carried off the State seal and persisted in refusing to give it up. Ex-Councillor Fogg's paper, the *Greenback-Labor Chronicle,* was declaring that the State House must be taken though it cost a thousand lives, and what was far more serious, there were reports of recruiting and drilling in every county in the State and in Augusta. In the evening of the 23d, Mayor Nash informed Governor Davis that he feared that his police could not defend the State House "against such force as the public enemies seem to be willing and able to bring against it." Accordingly the Augusta militia company, the Capitol Guards, were called out and at midnight they entered the State House. A little later the Gardiner Light Infantry joined them. In the early morning of Saturday, the 24th, the Auburn Light Infantry and the Androscoggin Light Artillery arrived, the latter bringing a gatling gun manned by fourteen men. On the same day the Fusion Legislature voted to submit certain questions to the court. On the 27th the court replied that they could not recognize the

[9] The Fusionists accused General Chamberlain of bad faith. "Governor" Lamson, Captain Channing and "Adjutant-General" Folsom swore that they heard the General promise that if the Fusionists would let the Republicans hold a caucus in the Legislative Chambers the rooms should be clear for the Fusionists on Monday. General Chamberlain stated that his promise was for Saturday.

persons putting the questions as a legal Legislature, but that they felt that they would be omitting an important service which might fairly be expected of them if they failed to state why they could not answer the questions. They then gave reasons in the line of their previous decisions that the Republican Legislature was legal. They said that the fact that no notice of the session of the legal Legislature had been given to the minority was not material. "The minority were not excluded. The organization was made in a public manner. The minority were at the time claiming to be, and are still claiming to be, the lawful Legislature. It is not to be presumed that they would have abandoned that organization at that time had notice been given. We do not think that the want of notice invalidates the organization of January the 12th. There may be irregularities in the manner in which such organizations were formed; but the voice of the people is not on that account to be stifled, nor the true government to fail to be maintained. No essential defects anywhere exist, but only such departures from ordinary forms as circumstances compelled."

Early on the following day the Augusta and Gardiner companies were relieved from duty. In the afternoon the Fusion Legislature met and adjourned until August 1. Some of the more radical claimed that they would meet on that day and begin an active campaign, the object being to secure the electoral vote. But the general feeling was that that Legislature would never meet again, that the adjournment to a fixed day was taken to let the counted-in members down easy, they having given a good deal of trouble. On the morning of January the 30th, the last troops were sent home. Many Fusionists on that and the preceding day joined the regular Legislature; of the Senators only two remained absent.[10] Late in the afternoon of the 31st, P. A. Sawyer, the Fusionists' Secretary of State, appeared at the secretary's office and surrendered under protest the State seal, the election returns, the Council record, and the reports on election returns for 1879.

A joint committee was appointed by the Legislature to investigate the treatment of the election returns, and the attempt to defeat the will of the people, and also any undue or illegal expenditure of the public money. Governor Garcelon was subpoenaed and testified before the committee; Councillor Moody appeared voluntarily. The other members of the Council and P. A. Sawyer declined or failed to attend. The committee reported that there had been a conspiracy to count out Republicans and count in Fusionists. All the Republican members of the committee signed the report. Two of the Fusionist members stated that "the undersigned regret that the members of the Council have not seen fit to appear and explain the irregularities which seem to exist. The evidence being uncontradicted, the undersigned cannot make a denial of the facts proved by it and can only withhold their

[10] A new valuation of the State was to be made that year and it was most important for the various localities that their representatives should attend to look out for their interests.

assent to the conclusions arrived at by the majority of the committee." The third Fusionist did not sign either report. Messrs. Garcelon, Sawyer and the Councillors for 1879, except Mr. Moody, issued a pamphlet in reply to the report of the investigating committee.

There was considerable evidence that attempts were made by the Fusionists to secure the amendment of incomplete returns. Councillor Moody testified that he took a blank return and the original return of the town of Bristol to Wiscasset, but that he did nothing because he found that an amendment of the return by the record would not change the result. James R. Talbot, the Fusion candidate for Senator from Washington county, testified that he received three blank returns, with a statement of the defects in the returns from the towns of Whiting, Addison and Jonesborough, and that he took steps to have these returns corrected.

It was also charged that the Governor and Council did not act on uniform principles, that they had one rule for Republicans and another for Fusionists. It was alleged that they threw out the return from New Sharon because all the signatures appeared to be written by one man, but admitted the return from Somerville, where this was manifestly the case, because the rejection of the Somerville vote would have lost the Fusionists a Senator. The Republican candidate for county commissioner in Androscoggin county lost his election because certain votes were returned for Hiram Briggs, and these were counted for a different person from Hiram W. Briggs, although the record showed that the votes were cast for Hiram W. Briggs and affidavits to that effect were presented,[11] but the Fusionist candidate for county attorney in Penobscot county, Benjamin H. Mace, received the benefit of votes cast for B. H. Mace, affidavits being sworn to by voters that they intended to vote for Benjamin H. Mace. A Republican, Francis W. Redlon, was not given the votes cast for Francis W. Redlond, but a Fusionist, Charles Rankins, had votes counted for him which were cast for Charles Rankin. A Democratic candidate for Senator, James R. Talbot, was allowed votes for James R. Talbart and John R. Tabbot. A Fusionist, Isaac F. Quimby, was given a vote for Isaac F. Quinby, but John Burnham, a Republican, was not allowed the votes given to John Burnam. Votes in the town of Stowe cast for Standley were counted for Stanley, a Fusionist; so a Fusionist, Mr. Hutchins, was given votes cast for Hutchings.

The pamphlet in reply to the Hale report, signed by ex-Governor Garcelon and six of his Council, asserted that they had not received the affidavits from New Sharon and had no evidence concerning the Somerville return. They also denied that any affidavits had been received in the Briggs case, and said that if they had been, corrections would have been made as was done in the case of many county officers. They said that in the Burnham, Quimby and Redlon cases the ruling did not affect the result,

[11]Governor Garcelon swore that the decision was taken by the Council contrary to his opinion.

and offered some special explanations. No reply was made to the charges in the Stanley and Hutchins cases. In the first the result was not changed by the Council's tabulation; in the second it was.

There were grave charges of alteration and mishandling of returns. The Council of 1879 stated that the only senatorial return from Jonesborough was a blank, but the town clerk and one of the selectmen swore that the return was made out and forwarded. It also appears from the testimony that about November 8, Mr. Drisko, of Machias, stated that there was a certain defect in the return, and that a corrected return was made out and forwarded. Major Gallagher swore that he was in the office of the Secretary of State on November 17, that a return from Jonesborough came in, and that Deputy Secretary Sawyer hurriedly put it in his desk and clearly manifested a wish to conceal it. Herbert M. Heath swore that one morning, when arguing a Washington county case in the Governor's room, he saw the Jonesborough envelope in a pile of other returns, that when he went to dinner they were locked in a bookcase, that in the afternoon the Jonesborough envelope was missing, that when his back was turned it was found on the floor and then contained a blank return. The envelope was postmarked September 9. This testimony makes it extremely probable that the second return was placed in the first envelope and the envelope in which it came was destroyed, that the conspirators then learned that there was evidence of the arrival of a return in November and they then determined to substitute a blank return, which the Republicans would have no desire to challenge as Jonesborough had gone Fusion.

Much stress was laid by the Republicans on the case of Oliver P. Bragdon, one of their candidates for Representative. He was refused a seat on the ground that the votes of the town of Gouldsborough were given to Oliver B. Bragdon. The tabulation and the final lists drawn up by the Council showed that the votes had been counted for Oliver P. Bragdon and his name put in the list of persons to whom certificates had been given, that it had then been struck out, and the name of his Fusion competitor, James W. Flye, substituted, and that changes to conform to the decision in favor of Flye had been made in the tabulations. The town clerk of Gouldsborough swore that he wrote the middle letter plainly "P," and his manner of writing "P" in the town records conformed with the return as he described it. Councillor Moody, who made the tabulations in the Bragdon case, testified that he had not examined the return originally with sufficient care, that his attention being called to the matter, he re-examined the Gouldsborough return, and consulted Governor Garcelon as to whether it was a "B" or a "P." The Council of 1879, in their reply to the committee, stated that any changes that might be found were made after the papers passed out of their hands, but this is clearly contradicted by Mr. Moody's testimony.

The vote of the town of Fairfield was thrown out on the ground that two returns were forwarded at the same time, that they differed from each

other, and that there was no means of telling which was the correct return. It appeared, however, from the testimony of the first selectman and the town clerk that by an error in the counting the Fusionists had lost twenty votes, that the selectmen and town clerk received blank returns from Major Channing, a prominent Democrat, that they made new returns, stuck on each a slip stating that these were amended returns, and sent them to Augusta. They also sent an explanatory letter. Major Channing swore that he was in the law office of Councillor Brown, and that, at the request either of Brown or his partner, he took an envelope marked "Secretary of State" and delivered it to the town clerk of Fairfield. The returns for Governor and county officers had the explanatory slips on them and were recognized by the Fairfield town clerk as the original slips. The returns for Senators and Representatives showed that something had been torn off, but enough was left to make it probable that it was the original slip described by the Fairfield clerk, which had been detached. When Governor Garcelon was asked about the matter, he swore that he was entirely ignorant of the affair and that he would not have permitted a detachment had he known of it, that he took the word of the Council for the duplication of the Fairfield returns.

The Council received affidavits from Farmington regarding the returns from that town, and Governor Garcelon was asked why affidavits were not obtained from Fairfield. He replied that he supposed that it was because the Council wanted a Representative of the right stamp. The Governor, however, hinted that the Republicans might have put the slips on and then torn them off, an improbable explanation in view of the testimony.

There was also clear evidence that the name of George H. Wakefield in the returns from Berwick had been changed to George A. Wakefield, that the vote had been originally tabulated for George H. Wakefield and had been changed, and that by this means the Fusionists gained a Senator. The Council charged the Republicans with making the alteration, but this was impossible, since the Council issued a certificate based on the return "George A. Wakefield."

In the return from the town of Wells, the votes for the Fusion candidate, Josiah H. Stover, were wrongly given to Josiah Stover and the error was corrected by crowding in an "A." The town clerk swore that he made the mistake, and produced his memoranda and record to show that he had made a similar mistake on them. The Council said in their pamphlet that if he did he was guilty of great carelessness, that the return was correct, and that if it had been changed the alteration was made after it left their hands. They also said that if they had committed a fraud, they had been so foolish as to sin uselessly, for the Governor and Council had given the certificate to Mr. Stover's opponent.

It should be remembered, however, that cheating is often done in an unscientific manner, and if individual councillors and subordinate executive officers did the work it might be difficult for them to act in concert. The

sending of blanks with only three lines for signatures by which certain aldermen were led to consider three signatures enough, is also a very suspicious circumstance, and, all things considered, it is most probable that men high in office were guilty of something worse than misunderstanding the law.

The Republicans also accused their opponents of misappropriation of the public funds. There is no doubt that the excess of an appropriation for high schools was used to pay the Fusionist guards and police, that money was paid out without proper vouchers, and that Governor Garcelon retained public money in his hands and paid the police after he had ceased to be Governor. It was alleged in defense that the transference of surplus appropriations was in accordance with custom, and that the retention and use of the State money by ex-Governor Garcelon was warranted by the special circumstances of the case.

It was the duty of the Legislature to select a successor to Senator Hamlin, and Eugene Hale, of Ellsworth, and William P. Frye, of Lewiston, were candidates for the Republican nomination, which was equivalent to an election. Both gentlemen had sat for many years in Congress, and had rendered excellent service to the Republican party. Mr. Hale was now in private life. He had served ten years in Congress, but at the last two elections had been defeated by a Greenbacker. Mr. Frye had been fortunate enough to retain his seat. This circumstance was turned against him. It was said that Mr. Hale was without a place. Mr. Frye already had one. Moreover, it was claimed that the next House would probably choose him speaker. Furthermore, if, as was very likely, Mr. Blaine should be a member of President Garfield's Cabinet, there would be another vacancy in Maine's representation in the Senate, which could be filled by Mr. Frye. Mr. Hale had the powerful support of Mr. Blaine and was himself in Augusta to direct his campaign. Mr. Frye considered that his duty required him to remain at Washington, attending to the public business. When the Legislature met the chances appeared to be decidedly in favor of Mr. Hale, but Mr. Frye's friends continued the contest. The battle, however, went against them; two Senators and a Representative from Oxford county announced at a protracted meeting of the county delegation that they should vote for Mr. Hale. This defection in Mr. Frye's own congressional district was a wellnigh fatal blow, and his friends decided that there was no reasonable chance of success, and that the interests of all concerned would be promoted by the avoidance of a protracted or acrimonious contest. Accordingly, two of the Frye leaders were sent to announce a surrender and express the hope that harmonious relations would continue between all parties (that is, that the new Senator would not neglect Mr Frye's friends in distributing patronage?). Mr. Hale "very cordially responded," and he was duly nominated and elected.

Eugene Hale was born in Turner, Maine, on June 9, 1836, and was educated at the town schools and Hebron Academy. At the age of twenty

he was admitted to the bar, and soon took up his residence in Ellsworth, where he has made his home ever since. He has had as law partners ex-Chief Justice Emery, and Hannibal E. Hamlin, a son of Hannibal Hamlin. In 1871 he married a daughter of Senator Chandler, of Michigan. Mr. Hale was county attorney of Hancock for nine years, and served three years in the Maine Legislature and ten in Congress. In the United States Senate, Mr. Hale gradually obtained a very influential position, and in the latter part of his service he was one of a small group that was extremely influential in shaping legislation. Senator Hale was long chairman of the naval committee, and was a staunch friend of the navy at a time when generous appropriations were very hard to get. During the latter part of his career he was closely identified with the conservative wing of the Republican party. It has been said of him, "Senator Hale is always recognized as a wise counsellor in party politics. He is an easy and forcible speaker, his words are carefully selected, and his extemporaneous speeches require no revision. He is a popular after-dinner speaker, and on these occasions, both where grave subjects are presented and where wit and merriment abound, he is in his element. He is a wide reader, keeping alive his love of books, and delights especially in poetry."*

Mr. Frye's senatorship was merely postponed, and for a brief time only. Mr. Blaine became Secretary of State in President Garfield's Cabinet and the Legislature promptly chose Mr. Frye as his successor.

William Pierce Frye was born in Lewiston, on September 2, 1831. When barely fifteen he entered Bowdoin. After his graduation, in 1850, he studied law in the office of William Pitt Fessenden, was admitted to the bar, practiced in Rockland for two years, and then moved to Lewiston. In 1866-67 he was mayor of Lewiston, and in 1867-68-69 Attorney-General of Maine. In this office he added to his reputation as a lawyer, and showed himself a master of cross-examination. He was elected to the National House in 1871, and retained his seat until his election to the Senate ten years later. Senator Frye's thirty years' service in the Senate, if it did not prove him a statesman of the first rank, was yet of distinguished quality. He was for many years chairman of the committee on commerce, and thoroughly mastered the details of the subject. He was most anxious for the revival of American shipping, and the defeat of the Frye-Hanna ship subsidy bill, in 1902, is said to have been the greatest disappointment of his career. While his attention was chiefly given to the mercantile marine, he also took great interest in the navy, and in the revenue cutter and life-saving services. So devoted was he to his special subject that he refused the chairmanship of the highly important committee on foreign relations because acceptance would mean resignation from the committee on commerce. He did, however, render valuable service on the foreign relations committee and, doubtless for that reason, was appointed

*Mr. Hale died October 27, 1918.

by President McKinley one of the commissioners to negotiate the treaty of peace with Spain in 1898.

Senator Frye was also president *pro tempore* of the Senate for fifteen consecutive years, a longer period than any Senator had held the office. Moreover, because of the death of Vice-President Hobart and the accession to the presidency of Vice-President Roosevelt, he was the actual presiding officer for over five years and was most successful. Senator Lodge said of him: "He was very kind and considerate and also very fair. . . . I have never known a Senator in this body who commanded so entirely the affection of all the members, without the slightest regard to party lines. I do not recall in all my service here any Senator whom the Senate was so ready to oblige as it was to oblige Senator Frye. Anything that he wanted was pretty sure to be done."

Mr. Frye was a most forcible speaker. "His magnificent voice and impressive manner, with his imagination, retentive memory, clear reasoning, keen sense of humor, and power of apt illustration drawn from familiar incidents made a splendid equipment for campaign oratory." Yet his power was due most of all to his manifest sincerity, and his sympathy with his audience and ability to make them feel that he was only expressing for them their own ideas. He seems also to have had a power of thrilling his hearers by a single ordinary word, like that of the elder Pitt, who once awed a laughing House of Commons into respectful silence by repeating the word sugar three times. Senator Lodge, in describing a tariff speech of Mr. Frye's at Lynn, said: "He made the dry questions of rates of duty glow with interest as he went on from one topic to another. I recall particularly after he had closed an exciting discussion of the cotton schedule, the manner in which he paused and walked slowly across the stage, looking at his audience, and then began in a low and impressive voice by saying, 'now there is pottery.' His audience seemed transfixed by his manner, as if he had appealed to them in behalf of their lives, their property, and their sacred honor. They behaved as if the duties on pottery was (were) the one interest of their existence, although in that particular city there was nothing resembling a pottery industry." With such power it is not strange that Mr. Frye was one of the ablest and most sought-for campaign speakers in the country.

In the Senate, too, he distinguished himself, being especially formidable in the quick cut and thrust of a running debate; but he did not indulge in personalities. It was said of him that he used a rapier, not a bludgeon, and if he was a hard fighter he was also a fair one.

Mr. Frye was a man of the strictest integrity, a loyal friend, a lover of nature, and deeply though unostentatiously religious. He refused opportunities that were offered him of making money in a perfectly honorable way lest he might put himself under obligations that would later conflict with his duties as a Senator. His vacations he spent at his summer home at Squirrel Island or at the Rangeley Lakes. Of his life at Rangeley,

where he delighted to go with his family and friends, he said: "Everybody thinks me a great fisherman, but, as a matter of fact, fishing with me is a mere incident of camp life. I love the woods and its solitude."

After his death, in the summer of 1911, a memorial service was held in the church at Squirrel Island and one of the speakers told of a kind of lay prayer meeting held in the open air on the verge of the sea, and of the deep feeling with which Senator Frye spoke of the Creator. Mr. Frye was devoted to his wife, a woman of fine character, who died ten years before him. He was obliged to go back to Washington only two days after the funeral. At the Senator's own funeral his pastor said: "I shall never forget his reply to my remark that it must be very hard for him to return to the capital without Mrs. Frye, who had been such a help and inspiration to him during his public service. With deep emotion he said, 'Duty calls me to Washington; I believe God always fits the burden to our shoulders'."

The gubernatorial campaign in Maine in 1880 was the more important because a President was to be chosen the following November, and the State election would be regarded as a forecast of the National one. The two leading candidates for the Republican nomination were General Grant and Mr. Blaine. The General had recently returned from a trip around the world, where he had been received with the greatest honor, and the news had thrilled America with pride. His old supporters, the Stalwarts, determined to take advantage of this feeling, violate the tradition against a third term, and make Grant President again. The leaders in the scheme were Conkling of New York, Cameron of Pennsylvania, and Logan of Illinois. All three were able and energetic politicians, and they controlled a machine which they used ruthlessly to effect their purpose. Mr. Blaine was totally opposed to allowing any man a third term as President, and to putting a Stalwart "ring" in control of the Republican party. His objections were probably the stronger because of his feud with Mr. Conkling and a serious difference with General Grant.

Blaine's biographers, Mr. Stanwood and Gail Hamilton, say that he was put forward as a candidate against his wish, and his correspondence shows that his family and friends felt irritated that he did not take a more active part in the pre-nomination canvass. As the time of the convention drew near, however, he watched for weaknesses in his line. Hannibal Hamlin had attended the convention of 1876 as a spectator, and on his return had said to Blaine, "If you had put your campaign in my hands you would have been nominated." He then described what he regarded as the errors of the Blaine managers. Mr. Blaine now wrote to him: "Dear Sir:—I hear with concern that you are not going to Chicago. I dislike to ask any service of friendship that may subject you to personal inconvenience, but I fear your absence will be purposely misconstrued by my opponents, and to my injury. You will find good accommodations engaged for you at the Grand Pacific, and I shall be much pleased to have you go

as my personal representative, and I will in any and every event ratify and confirm any and every agreement or arrangement which in your wise discretion you may see fit to make." Mr. Hamlin complied with Blaine's request and rendered valuable service.

Senator Sherman was a third candidate for the nomination, and Edmunds of Vermont, Windom of Minnesota, and Elihu B. Washburne of Illinois, formerly of Maine, were also supported. Washburne had been of the greatest service to Grant, but he now allowed his name to be used to divide the vote of Illinois, and the General never forgave him.

In the convention the battle was fierce, the contest, as usual, being one of lungs as well as of votes. Mrs. Blaine wrote: "Mr. Hale telegraphed, 'The Grant men made a point of who could howl loudest and longest, and cheered and hurrahed and waved flags for fifteen minutes, Conkling himself condescending to wave. After they had tired themselves out, the Blaine men took it up and shouted twenty minutes.' Mr. Hale says the Grant men got enough of it. Four of their (Blaine's) tallest men mounted on settees, and Hale mounted on their shoulders and waved the flag, expecting every minute, he said, that he should fall and break his neck. Think of the position for a man who is not an acrobat."

The delegates were as loyal in voting as in shouting. On the first ballot Grant had 304 votes and Blaine 284. On the 34th Grant had 312 and Blaine 275, and a dark horse, James A. Garfield of Ohio, also appeared. General Garfield had come to the convention as leader of the Sherman forces and his very able speech putting Sherman in nomination had made a great impression on the convention. On the 34th ballot he received 17 votes, on the 35th, 50. Blaine and Garfield had long been on terms of cordial intimacy. A wire ran from the convention hall to Blaine's house in Washington and he promptly telegraphed for his friends to break to Garfield. They did so, others followed, and on the 36th ballot Garfield was nominated. The nomination for the vice-presidency was given to the Stalwarts as a consolation prize, and Chester A. Arthur was nominated on the first ballot, receiving 468 out of 775 votes. His principal competitor was Elihu B. Washburne, who obtained 199 votes. The next candidate, Marshall Jewell of Connecticut, received only 43 votes.

The Blaine leaders were happy. Mr. Charles E. Hamlin says in his life of his grandfather that Joe Manley, one of Blaine's principal lieutenants, stated that they knew from the first that there was no hope of nominating Blaine, and that they really fought to defeat Grant.

The *Whig* said in an editorial: "Grant is defeated; Don Cameron the sly, Conkling the majestic, and Logan the volcanic, are defeated. The third-term business has been buried beneath the indignant protest of an aroused people." The *Whig* admitted its great disappointment at the defeat of the "people's candidate," but said "Mr. Blaine is not to sit upon the throne, but he will be the power behind the throne." Of Garfield it said, "To an unsullied reputation for integrity must be added a rugged and

strongly marked individuality of character." It is doubtful, however, if history will consider rugged an appropriate adjective to apply to General Garfield. Perhaps the *Argus* was *nearer* the truth, though influenced by partisan prejudice, when it said, "His aspirations for right are admirable. His weakness in the presence of temptation is pitiable. It leads him into wrong which he has not the courage to confess in a manly manner, nor the self-control to avoid next time."[11]

The Democrats nominated General Hancock. Each party therefore went into the fight with a Union soldier at its head, but the Democrat had the more distinguished military record.

In the State election in Maine the Republicans endeavored to make the count-out the great issue. The call for their convention said: "For the first time in the history of Maine the attempt was made in 1879 to deprive the people of the right to choose their own officers, and to corruptly continue in power those whom the people had rejected. The authors, abettors and accomplices in this crime against free government are now seeking to come before the people under some new party name—availing themselves of an *alias*, the common resort of those who seek to escape the responsibility and punishment of their crimes. Against these men, under whatever name they may appear, all those citizens who condemn the nefarious plot to destroy the rights of suffrage, are invited to unite without regard to past party affiliations, to preserve honest government for the honest people of Maine."

When the convention met, Governor Davis was renominated by acclamation, the conduct of the Garcelon administration severely arraigned, and prohibition endorsed.

The statement in the call regarding the coming before the people under a new party name, referred to a fusion on candidates of the Democrats and Greenbackers. The conventions of both parties met in Bangor on June 1. The Greenback platform, beside setting forth the usual theories in regard to the currency, demanded abolition of imprisonment for debt, a graduated income tax on incomes over $1000, equalization of the bounties of soldiers of the Civil War, the reservation of the use of the public lands for the people and "such a change in the manner of voting as shall secure to every citizen the free exercise of the right of suffrage." General Harris M. Plaisted was nominated for Governor by acclamation.

Harris M. Plaisted was born in Jefferson, New Hampshire, on November 2, 1828. He graduated from Colby (then Waterville) College in 1853. In the same year he entered the Albany Law School and graduated with high honors two years later. He then took up his residence in Bangor, and after a year's study in the law office of Albert W. Paine was admitted to the bar. In 1861 he enlisted in the Union army and served until 1865, when he left the service on account of ill-health. He was first, lieutenant-

[11] *Argus*, June 24, 1880.

colonel, and then colonel of the Eleventh Maine, and for some time commanded the brigade of which the Eleventh formed a part. After the war he served two terms in the Maine House and three as Attorney-General.

The Democratic convention also nominated Plaisted, appointed a committee to arrange with the Greenbackers for a division of the electoral ticket, and adjourned. A platform had been proposed, but a minority report by James F. Rawson, favoring local option, caused tremendous excitement, all the resolutions were finally laid on the table, and were left there. The *Whig* stated that "Mr. Rawson says he feels encouraged at the fact that his resolution, for the first time during the past ten years, was not voted down, and thinks he may succeed if he lives long enough."

The Republicans had paid homage to prohibition in their platform, but there was grave doubt whether mere words would be sufficient to keep the radical prohibitionists within the party lines. A prohibition party had been organized in Maine, and William M. Joy nominated for Governor. The Legislature had passed a law directing the Governor and Council on the representation of thirty or more well-known taxpayers in a county that the prohibitory laws were not faithfully enforced therein, to enquire into such representations, and, if they found them warranted, to appoint two or more special constables to enforce the laws. Governor Davis had appointed few constables, and was bitterly attacked in consequence. In July the Maine State Temperance Convention met at Augusta with a small attendance. Resolutions were passed declaring that the temperance men of the State expected the Governor to fulfill the duties devolving upon him under the special constable law, and advising certain action for its enforcement, but a resolution endorsing the nomination of Mr. Joy was defeated by a large majority. "A resolution of censure upon Governor Davis was presented, pending which the convention adjourned until evening. In the evening the discussion and other propositions were introduced, but without coming to a vote upon the matter the convention broke up in disorder." It appears, however, to have adjourned to meet at Portland on August 19.

The reassembled convention was extremely disorderly, and the lie was frequently given. The chairman, Joshua Nye, sharply assailed Governor Davis, who was also censured by Rev. Cyrus Hamlin. Ex-Governors Morrill and Perham opposed any attack on the Republican party which, they said, had been the friend of Prohibition. Finally, by a vote of 70 to 49, a resolution was passed declaring "That Governor Davis, by neglecting to appoint a sufficient number of constables to enforce the prohibitory law, has forfeited all right to the support of the temperance voters." It was announced that a new party called the Enforced Prohibitory Party had been founded, and Joshua K. Osgood of Gardiner was nominated for Governor. Mr. Osgood accepted the nomination, but in about a week announced that, finding himself praised by some of the strongest opponents of prohibition, he withdrew his acceptance and should support Davis.

The September election was a fearful disappointment to the Repub-

licans. They had hoped for a glorious triumph and a great popular condemnation of the "State Steal," but on the morning after election the Democrats were claiming that Plaisted had been chosen by two thousand majority. Most of the Republican papers admitted defeat and sadly declared that the honor of the State was deeply stained by this apparent endorsement of Garcelon and his Council. The election was extremely close, but if the votes were counted according to the intention of the men who cast them, General Plaisted received a small plurality. There were votes for Daniel F. David and Harrison M. Plaisted, and the votes of the town of Vassalboro cast for Harris M. Plaisted were returned for Hiram Plaisted. Mr. Dickey, of Fort Kent, however, discovered that the "return" was not signed by the clerk, and therefore no legal return; and in such a case a new return could be made. At this election amendments to the constitution were adopted providing that the Governor should serve two years and be chosen not by a majority but by a plurality vote.

The question was raised: Did the plurality amendment apply to the election of 1880? If it did not, there was no choice, the Legislature was Republican, and Davis would be the next Governor. The amendment could not be in force until the close of the voting at least, by that time the election for Governor had been completed and an amendment like a law is not retroactive unless there be a special provision to that effect.

Some of the Republicans claimed that the matter was doubtful, and wished to take the opinion of the judges. The Portland *Press* urged that the Republican Legislature declare Plaisted elected as a matter of magnanimity. Most of the Republicans believed that Plaisted should be recognized. But the Bangor *Whig* bitterly opposed such action. It declared that the Democrats had no claim to magnanimity, that law should rule, and that it was merely proposed to enquire of the judges what the law was. It said that some influential Republican lawyers who had helped draft the amendment were angry at the assertion that they had failed to express their meaning, that many Republicans believed that enough of the Republicans in the Legislature would vote with the Democrats to elect Plaisted and that it was unwise to make an attempt which would not be successful.

On the other side it was urged that there could be no doubt that it was the general understanding that the amendment was to apply to the election of 1880. Moreover, should the Republicans take an opposite view they would appear to be trying to defeat the people's will by the merest technicalities and the party might suffer severely. Should the judges feel bound by the strict principles of law to decide against Plaisted, their opinion could not fail to be regarded by the "man in the street" as highly partisan and the moral authority of the court would receive a heavy blow. For these reasons a great majority of the Republicans of the Legislature concurred with the Democrats in declaring Plaisted elected.

The Republican Legislature had given Governor Plaisted a solid Republican Council and from the first there was much friction between them.

The contest began over the election of a messenger to the Governor and Council. The Council at its first session re-elected the former messenger, Major House. The Governor refused to concur. He said that in general he would prefer to be relieved from the burden of making appointments, but that he thought that he should be consulted in regard to the officers of his staff and the person who would act as his private secretary and have charge of his papers. Later he nominated his son, Harold, for the office, but the Council refused to consider the nomination, claiming that the messenger was not a civil officer to be nominated by the Governor, but a hired employe like a night watchman, whose employment was at the discretion of the Council. The matter, after long dispute, was compromised by a provision for two officers instead of one, a private secretary to the Governor and a messenger to the Council. Young Mr. Plaisted became his father's private secretary and Major House messenger to the Council.

The Governor repeatedly removed officers by appointment of others and the Council refused to concur, on the ground that they disapproved of the removal. The Governor also removed officers by his own authority, the Council, considering such action illegal, passed warrants for the continued payment of the salaries, and the Governor refused to approve them, on the ground that the men were no longer in office. On July 13 a serious difference of opinion concerning the appointment of trustees of the Reform School having arisen, the Governor declared the Council adjourned and withdrew to his private room. The Council, however, refused to recognize the legality of the Governor's action, continued in session, adjourned to the next day, and then adjourned to a day in August. There was in consequence a failure to provide for the payment of $50,000 of State bonds. The treasurer, acting on his personal authority, saved the credit of the State, but Governor and Council blamed each other for the danger of a default. In September, 1881, the justices of the Supreme Court, in reply to a question from the Council in which the Governor had declined to join, gave an opinion against the Governor's claim to remove Mr. Spaulding, the reporter of decisions to the court, but two justices, Messrs. Libby and Walton, while giving an opinion out of deference to the Council, stated that they did not think the occasion one in which they should be called upon and that the proper proceeding would be for the Attorney General to bring a writ of *quo warranto*.

At the close of the year the question of appointments was again raised as a result of the recent constitutional amendment establishing biennial elections. There were numerous elective county officers, such as sheriffs and registers of probate, whose terms would expire with the year, and the biennial amendment gave the Legislature authority to provide for the filling of vacancies. Instead of directing that the incumbents should retain their offices until the next election, the Legislature gave the appointment for the ensuing year to the Governor and Council. Governor Plaisted nominated Fusionists to fill almost every vacancy. The Council was will-

ing to confirm Fusionists if the previous officer had been a Fusionist, but the Governor refused this compromise. The Council, angered, resolved to confirm only those Fusionists whose county was still Fusionist. The Governor, however, would not give way and the Council ultimately confirmed his nominations for all offices where the vacancies could not be temporarily filled in other ways should the Council fail to act.

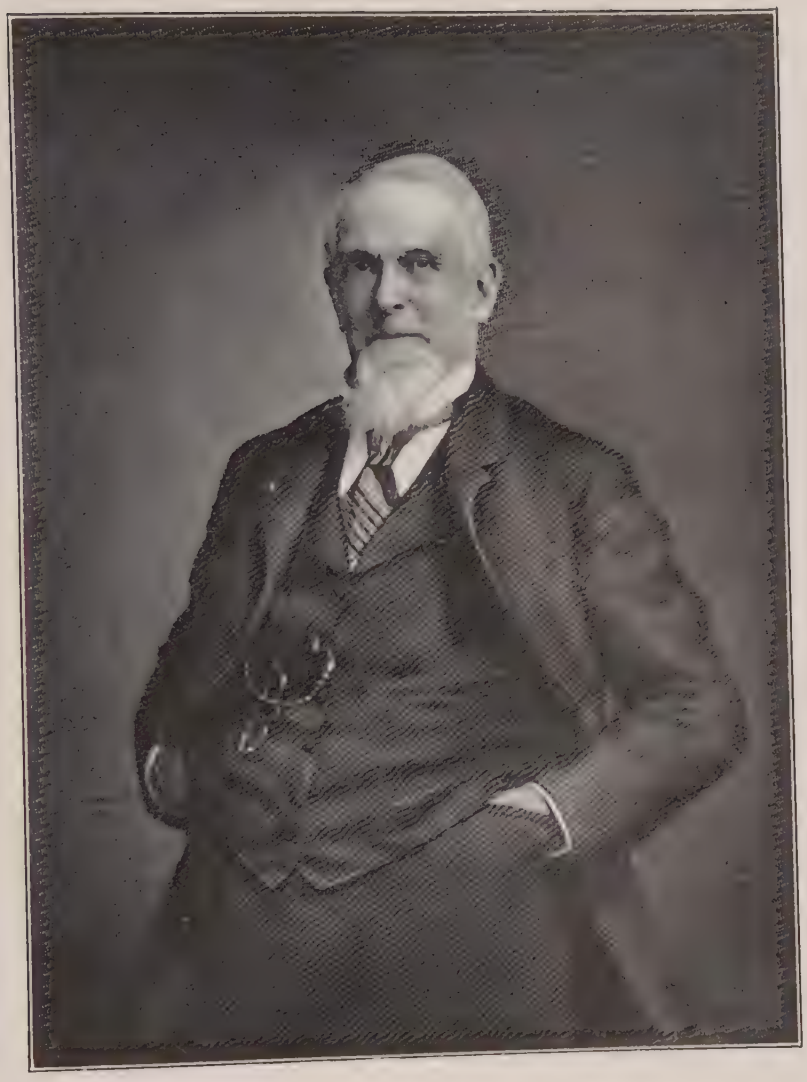
The term of Judge Libby of the Supreme Court would expire in April, 1882, and considerably before that date the Governor had nominated William L. Putnam to fill the impending vacancy. In itself it was a highly proper nomination, but the Republicans declared that the purpose was to punish Judge Libby for joining in the opinion against the count-out two years before, and rejected the nomination. The Governor then submitted the name of Nathan Cleaves, of Portland, which was rejected for the same reason.

The State campaign of 1882 was fought chiefly on the appointment issue. The Greenback convention renominated Governor Plaisted and the Democrats did the same. In the letter informing him of the latter nomination the chairman of the convention said that Greenbackers and Democrats were in accord on practical issues, especially on the vital State issue, involving the constitutional prerogative of the executive, and that questions of finance were of little practical importance in the State contest. The Fusionists claimed that Governor Plaisted's position was like that of President Garfield in his contest with Senator Conkling; the Republicans replied that the Garfield-Conkling dispute was over the right of the Executive to nominate, that the Maine Council only claimed an equal share in appointments. Practically, however, the difference was not very great, though in Maine there was no question of an individual veto under the name of conciliar courtesy.

For the Republican nomination there was a sharp contest between W. W. Thomas, of Portland, and Frederick Robie, of Gorham. There was a strong local feeling in Portland on behalf of Mr. Thomas. The *Advertiser* said: "No candidate for Governor has ever been taken from Portland by the Republican party, although this honor has been conferred upon Bangor once, upon Lewiston twice, and upon Augusta six times."

But although the convention was held in his own city, Mr. Thomas again met defeat. Mr. Robie was nominated by a vote of 690 to 592 for Thomas, 38 for J. H. Drummond and 7 scattering. The platform condemned Governor Plaisted for the use he had made of the appointing power, and endorsed prohibition.

Mr. Robie was born in Gorham on August 12, 1822. He graduated from Bowdoin in 1841, and from the Jefferson Medical College, at Philadelphia, in 1844. He practiced medicine at Biddeford and Waldoborough until 1858, when he returned to Gorham. Early in the Civil War he was appointed paymaster and served from 1861 to 1866. He showed himself a faithful and courteous officer, was held in high esteem both by the gov-



Frederick Robie

ernment and the soldiers, and in 1865 was made brevet lieutenant-colonel.

Colonel Robie, as he was often called, had taken an active part in political life, had served seven terms as Representative and two as Senator in the Maine Legislature, had been speaker in 1872 and 1876, and had been a councillor under Governors Washburn, Davis and Plaisted. In 1878 he was a United States Commissioner to the Paris Exposition. He had been managing director of a railroad and business manager of a Portland paper, and at the time of his nomination was director of the First National Bank of Portland.

Mr. Robie died on February 2, 1912, in his ninetieth year, having reached a more advanced age than has been attained by any other Maine Governor.

Several minor parties made nominations for Governor. The Enforced Prohibition party, which had nominated Nye in 1880, did not again appear. But the Prohibitionists who had supported Joy now nominated William T. Eustis. Their convention was largely a gathering of idealists. A reporter wrote to the *Advertiser:* "One delegate said that he cast the first abolition vote in his town forty years ago, and another said that his father was an early abolitionist; and both regarded this movement as the beginning of a new crusade as righteous and as certain of God's favor as the movement to secure the emancipation of the slaves."

The straight Greenbackers, much offended by the fusion with the Democrats, nominated Solon Chase.

Certain Liberal Republicans nominated Warren H. Vinton.

The campaign was a rather quiet one. Robie's headship of the State Grange gave him a considerable advantage and the Portland Democratic and half Democratic papers declared that he was no farmer. The *Advertiser,* in the sketch that it gave of Mr. Robie after his nomination, spoke of his father and then said: "He left a large estate to his son Frederick, who was bred a physician and calls himself a farmer, but is in reality a gentleman of leisure. Colonel Robie owns perhaps 160 acres of land in Gorham which is cultivated by his tenants." A Portland correspondent of the Boston *Advertiser* said: "Colonel Robie is a genial, cultured gentleman of agricultural tastes, the official head of the Grangers in the State, and the possessor of a large inherited fortune." The *Argus* declared that "He never did a good severe day's work on the farm in his life, and knows absolutely nothing of practical agriculture."

In the same article it declared that the Republicans had given up all hope of electing Robie. But a little later it headed an editorial on the election, "Our Surprise Party," and said: "For some time past it has been apparent that there was a surprise party in store for somebody this morning, and we are the fellows surprised. The Republicans have made a clean sweep of the State and have won a great victory." Robie received 72,481 votes to Plaisted's 63,921. The minor parties made a very poor showing. The Straight Greenbackers polled 1,324 votes, the Prohibitionists 381, the Independent Republicans 269, and there were 102 scattering."